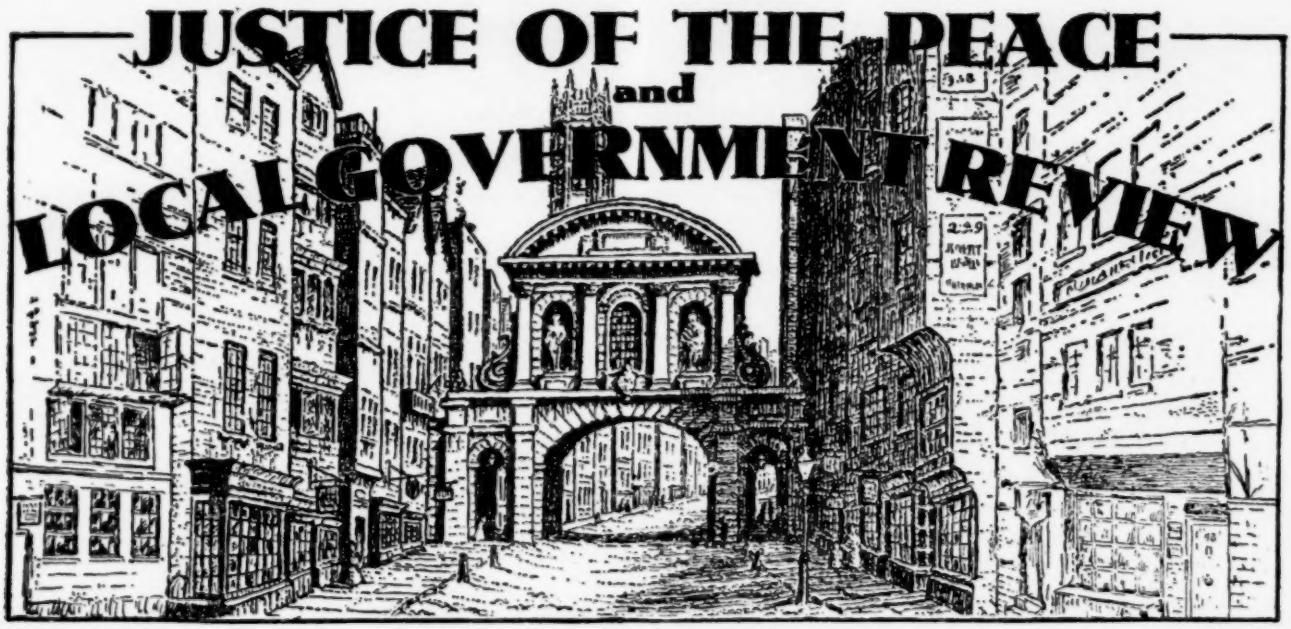

VOL. CXVII LONDON: SATURDAY, DECEMBER 12, 1953 No. 50

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Official & Classified Advertisements, etc.

Official Advertisements (Appointments, Tenders, etc.), 2s. per line and 3s. per displayed headline. Classified Advertisements, 24 words 6s. (each additional line 1s. 6d.) Box Number, 1s. extra *Latest time for receipt* 10 *a.m. Thursday*

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NOTIFICATION OF VACANCIES ORDER, 1952

The engagement of persons answering these advertisements must be made through a Local Office of the Ministry of Labour or a Scheduled Employment Agency if the applicant is a man aged 18-64 or a woman aged 18-59 inclusive unless he or she, or the employment, is excepted from the provisions of the Notification of Vacancies Order, 1952. *Note :* Barristers, Solicitors, Local Government Officers, who are engaged in a professional, administrative or executive capacity, Police Officers and Social Workers are excepted from the provisions of the Order.

INQUIRIES

YORKSHIRE DETECTIVE BUREAU (T. E. Hoyland, Ex-Detective Sergeant). Member of The Association of British Detectives, World Secret Service Association and Associated American Detective Agencies. DIVORCE — OBSERVATIONS — ENQUIRIES—Civil and Criminal investigations anywhere. Over 1,000 Agents. Over 27 years C.I.D. and Private Detective Experience at your Service. Empire House, 10, Piccadilly, Bradford. Tel. 25129. (After office hours, 26823.) Established 1945.

PARKINSON & CO., East Boldon, Co. Durham. Private and Commercial Investigators. Instructions accepted from Solicitors only. Tel. : Boldon 7301. Available day and night.

BOROUGH OF LUTON

Deputy Town Clerk

APPLICATIONS are invited for the appointment of Deputy Town Clerk from Solicitors who possess a sound knowledge of and experience in Local Government law, practice and administration.

The recommendations regarding salary and conditions of service of the Joint Negotiating Committee for Chief Officers will apply to the appointment. The commencing salary will be £1,500 rising by five annual increments of £50 to £1,750 per annum.

Further particulars and form of application may be obtained from the Town Clerk, Town Hall, Luton, to whom completed applications should be sent not later than Saturday, January 2, 1954.

W. H. ROBINSON,
Town Clerk.

Town Hall, Luton.
December 9, 1953.

Amended Advertisement

BOROUGH OF BATLEY

Assistant Solicitor

APPLICATIONS are invited for the above post at a salary within Grades VI to VII (£670 to £785) of the A.P.T. Division of the National Scales according to experience and ability. Further particulars and forms of application may be obtained from the Town Clerk, Town Hall, Batley.

CITY AND COUNTY OF NORWICH

Assistant Solicitor

APPLICATIONS are invited from young solicitors interested in Local Government for the position of Assistant Solicitor at a salary within the ranges £625—£685 or £710—£785, according to experience.

The appointment will be subject to the provisions of the Local Government Superannuation Acts and to termination by one month's notice. Relationship to any member or officer of the Council must be disclosed and canvassing, directly or indirectly, will be a disqualification.

Applications, stating age, qualifications and experience, and accompanied by copies of two recent testimonials, should be delivered to me not later than December 31, 1953.

BERNARD D. STOREY,
Town Clerk.

City Hall,
Norwich.

COUNTY OF DURHAM

Coronership of the East (Chester) District of the County of Durham

NOTICE is hereby given that there is a vacancy in the office of Coroner for the above district.

The Joint Committee of the County Council of Durham and of the County Borough of South Shields, set up for the purposes of Coroner under the Local Government Act, 1888, will be prepared to consider applications from duly qualified persons for the appointment of Coroner for the said East (Chester) district and to recommend a suitable person to the County Council for appointment.

The office carries with it a yearly inclusive salary at the rate of £900, but this figure is under review by the Secretary of State.

Applications, stating age, qualifications and experience, and giving the names and addresses of two persons to whom reference can be made, must be delivered to me at this office not later than December 31, 1953.

J. K. HOPE,
Clerk of the County Council.

Shire Hall,
Durham.
December, 1953.

URBAN DISTRICT COUNCIL OF FRIMLEY AND CAMBERLEY

Appointment of Deputy Clerk

APPLICATIONS are invited from Solicitors for the appointment of Deputy Clerk of the Council.

The salary attaching to the post will be in accordance with A.P.T. Grade VIII (£760/£25/£835) and the person appointed will also hold the position of Civil Defence Officer and will receive an additional £50 per annum in respect thereof.

Applicants should have had considerable experience of Local Government law and administration and should possess a sound knowledge and experience of conveyancing.

The appointment will be subject to the provisions of the Local Government Superannuation Act, 1937, and to two months' notice in writing on either side.

Housing accommodation will be provided if desired.

Applications, giving particulars of age, qualifications and experience, together with the names and addresses of three referees, must reach the undersigned not later than December 22, 1953.

Canvassing, either directly or indirectly, is prohibited, and applicants should state whether to their knowledge they are related to any member of, or holder of any senior office under the Council.

K. S. HARVEY,
Clerk of the Council.

Municipal Buildings,
London Road,
Camberley,
Surrey.
December 3, 1953.

BOROUGH OF BROMLEY

Deputy Town Clerk

APPLICATIONS are invited from Solicitors with suitable local government experience for the appointment of Deputy Town Clerk at a commencing salary of £1,350 per annum, rising by annual increments of £50 to a maximum of £1,500 per annum.

Applications, giving the names and addresses of two persons to whom reference can be made, must reach the undersigned not later than first post on Friday, January 1, 1954.

Canvassing, directly or indirectly, will be a disqualification.

L. KAYE,
Deputy Town Clerk.

Municipal Offices,
Bromley,
Kent.
December 2, 1953.

CITY AND COUNTY BOROUGH OF WAKEFIELD

Appointment of Assistant Solicitor

Applications are invited for the above appointment, at a salary in accordance with Grade VII (£710×£25—£785).

For further particulars apply to the undersigned. Closing date for applications—Saturday, January 2, 1954.

W. S. DES FORGES,
Town Clerk.

Town Hall, Wakefield.
7th December, 1953.

Justice of the Peace
and
Local Government Review
[ESTABLISHED 1837.]

VOL. CXVII. No. 50 LONDON : SATURDAY, DECEMBER 12, 1953

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Price 1s. 3d. (without Reports)

NOTES of the WEEK

Justices and their Clerks

The statement of the Lord Chief Justice which we print at p. 807 should remove confusion or misunderstanding, and it should also allay uneasiness which, it is evident, has been felt by some justices and clerks about their relative positions and the extent to which justices may seek the advice of the clerk when they retire to discuss their decision.

It will be noted that justices are always free to ask advice upon questions of mixed law and fact, and that it is recognized that it may be necessary sometimes for the clerk to point out that there is a question of law which justices may not have realized. The value of reference to the clerk's notes in some circumstances is also recognized, and the possible need for the clerk to elucidate them.

Emphasis is laid upon the impropriety of participation by the clerk in the task of arriving at the decision of the justices on the matter of sentence, or of determining whether to convict or not to convict, so far as findings of pure fact are concerned. There should be no difficulty about giving effect to this.

The presence of the clerk may be a great help to justices when they are deliberating questions arising in a complicated case. From his notes he can remind them what witnesses have said and he can advise them upon some questions about the legal effect of the evidence. For instance, in a bastardy case there may be some question of corroboration. The clerk can advise them as to the need for corroboration and can call their attention to decisions upon the difficult question of what is, and what is not, corroboration. He may advise that there is evidence which can properly be treated as corroboration, and then he will go on to say that it is for the justices themselves to say what weight they will attach to that evidence if they believe it.

The Lord Chief Justice has said that this particular pronouncement does not apply to matrimonial proceedings before justices, which, when they come under review, are dealt with in the Divorce Division. It may be that upon the hearing of an appeal occasion will arise for further guidance being given by that Division as to the extent to which the principles laid down in the Queen's Bench Division should be applied.

It now remains for justices and clerks to comply, in the spirit as well as in the letter, with the directions, which, faithfully observed, should ensure the administration of justice to the satisfaction of the public and create, or perhaps we might say maintain, a correct and happy relationship between justices and their clerks.

Orders by Consent

One important change made by the Magistrates' Courts Act is contained in s. 45. That section requires the court, before making an order on complaint, to hear evidence. This does not apply to a claim for a civil debt or to the variation of a periodical payments order or to other matters which may be specified by rules. It means, therefore, that the common practice of treating an admission alone as sufficient ground for making various orders is no longer permissible.

So far as separation and maintenance orders were concerned, we always considered it improper to make an order by consent unless there was a clear and unqualified admission by or on behalf of the defendant that the ground alleged in the summons was true. Even that was open to some objection, and it is an improvement in the law which requires the court to hear the evidence and the parties. The making of such orders is a matter of some moment, and it is well that the court should be satisfied that it is in possession of all the necessary facts before making an order. The best way of insuring this is by hearing evidence.

The enforcement of bastardy, maintenance, and certain other orders is now by order on complaint (s. 74), and this means that there must be evidence, so that it is not enough simply to ask the defendant if he admits the arrears and act upon the admission. There is no real difficulty, however. If the arrears are admitted, there will have to be an inquiry as to whether the failure to pay is due to the defendant's wilful refusal or culpable neglect, and a common and convenient practice is for him to be sworn and examined. He will then be asked again if he admits owing the amount, and his admission, given on oath, seems all that is necessary to comply with the provisions of s. 74.

The Justices' Reasons

Any justices and clerks who have not hitherto been as careful as they might be to comply with the directions of the Divorce Division, given in *Sullivan* v. *Sullivan* (1947) 111 J.P. 27 and other cases, will do well to take to heart the plain words used by Lord Merriman, P., in *Starkie* v. *Starkie*, [1953] 2 All E.R. 1255. Although it is not essential that justices should always state their reasons for making or refusing to make an order under the Summary Jurisdiction (Separation and Maintenance) Acts, it is their bounden duty to state those reasons when there is to be an appeal, so that copies of the reasons may be supplied to the High Court in accordance with the Matrimonial Causes Rules, 1950.

The statement of reasons is no mere formality. It should be in such terms as to furnish the learned Judges who hear the appeal with information which will help them to decide whether the justices acted upon sufficient grounds and in the proper exercise of their discretion.

In *Starkie* v. *Starkie*, *supra*, all that was furnished to the High Court was a certificate from the clerk that the justices made their order on the ground of neglect to maintain, that being one of two grounds of complaint by the wife. Obviously, that tells the

High Court nothing that the order itself did not contain, and the President spoke with some severity about defiance of the Court and dereliction of duty.

Inasmuch as there was an appeal, it may be assumed that the case was contested before the justices and that facts were in dispute. Merely to say that the justices found neglect to maintain proved cannot help anyone.

Lord Merriman stated in some detail the specific questions which the justices were to answer before the Court would proceed to a final decision of the appeal. Clearly, if the justices had dealt with each of these when giving their reasons for their decision, their statement would have been acceptable to the Divisional Court. With this case before them, furnishing a model statement of reasons to be followed, justices and clerks need have no difficulty in future in complying with the requirements of the Divisional Court.

Beacontree Juvenile Court

The position with regard to juvenile delinquency in the Beacontree Division of Essex, as revealed in the report of Mr. H. Rathbone Dunnico, chairman of the juvenile court panel, is encouraging. In his annual report he is able to record a reduction of fourteen *per cent.* in the total number of cases brought before courts compared with 1952, and what is more important, the substantial reduction of twenty-six *per cent.* in offences against property. Further, there was a reduction of forty *per cent.* in the care or protection cases. It would seem, says the report, that at long last parents are taking a greater interest in their families and are shouldering their responsibilities. It appears that fewer mothers are now out at work, and this may have an effect on the control of the children.

The policy of the juvenile court has been to enforce the payment of fines and substantial compensation against parents, in suitable cases, and also to make use of the power to require a parent to give security for his child's good behaviour. It is considered that this has proved generally successful. " Perhaps this approach to the problem, instead of trying to find psychiatric excuses for wrongdoing, is teaching the simple lesson of what is right and what is wrong."

Grumbles are often heard about the length of school holidays. These mostly come from parents, but occasionally children complain that they get tired of holidays, especially in the winter. Mr. Dunnico writes on this subject :

" The greater number of serious crime offences occurred in those quarters of the year which embrace the longest school holidays, Christmas and Summer. This would seem to indicate if juvenile crime is to be combatted, that during such holidays it would be worthwhile for the authorities responsible for youth activities to consider some form of guidance and help in outdoor as well as indoor recreational facilities. The summer holidays in fact produce the largest number of offences compared to other periods of the year, and it leads me to question firstly if such long school holidays are really necessary, and secondly if they are considered necessary that it is no use spending money on open spaces alone unless there are some organized recreational facilities in those open spaces which will attract the young people and thus direct their energies into wholesome sport and pastimes."

Aliens Order

The Aliens Order, which was made as long ago as 1920, has undergone a number of amendments, and a new order, consolidating the original Order and the various amendments is therefore welcome. This is the Aliens Order, 1953 (S.I. No. 1671), which will come into force on April 1, 1954.

The Judges Salaries

After the outcry aroused in some quarters by the Judges' Remuneration Bill in its original form it has now come forward in a different shape. The original Bill was drafted to give the Judges of the superior Courts a *tax free* increase of £1,000. To give the equivalent increase *subject to taxation* would have involved a very large figure, so high was the then rate of taxation. Since the last Budget matters have become a little easier in this direction and the present proposal is to increase the salaries of the Judges in the normal way so that they will become subject to taxation.

The increase proposed to be effected is £2,000 *per annum* in the case of the Lord Chancellor (making a salary of £12,000 per annum including £4,000 in respect of his duties in the House of Lords) and the same for the Lord Chief Justice whose total salary will then be £10,000 a year. Leaving aside any private income which the Lord Chief Justice may enjoy and treating him for tax purposes as a married man with no children at existing rates of taxation the proposed salary increase results in the net gain to him of £290 a year! Not by any means a princely increase!

In the case of the other superior Judges who include the Lords of Appeal in Ordinary, The Lords Justices of Appeal and The Puisne Judges of the High Court the proposed increase is of the order of £3,000 *per annum*, raising their £5,000 a year to £8,000. Taking as typical in this category the married Judge with one child and no source of independent income, at present tax rates he is left with £3,376 5*s.* 0*d.* as contrasted with £2,650 5*s.* 0*d.* before the £3,000 increase, making, therefore, a net difference of £726 *per annum*.

The total number of Judges affected by these proposals is seventy-nine and they include, besides the English Judges in the House of Lords and the Supreme Court, both the Judges of the High Court of Justiciary and Court of Session in Scotland and The Supreme Court, Northern Ireland.

The total cost of the salary increases will be £235,000 *per annum* and generally speaking the public will not grudge this rise, which in the case of the High Court Judges is the first since 1831!

The Queen's Judges have been placed in a very special position under our constitution. In order to secure their independence of the Executive they hold office during good behaviour and are only removable on an address to the Crown by both Houses of Parliament. Their salaries are payable from the Consolidated Fund and are not, therefore, subject to annual review by Parliament.

When the rates of remuneration payable to the heads of industry and the principals of Nationalized Boards are so much higher, it becomes apparent that a rise to those doing the highly important and responsible work of the Judiciary is overdue. It is in the best interests of the public as a whole that the most able men should be attracted to the Judicial duties of the Bench and that the salaries of the Judges should be in keeping with the dignity of their office. At the present time the attractions and opportunities of the board-room are becoming superior to the attractions of the Bench to the very successful Q.C.

At the same time it should not be forgotten that the Judges obtain the benefit of the pension schemes available under the Administration of Justice (Pensions) Act, 1950, and that these will not be affected under the new Bill. Under the Judicature Act, 1925, the Judges were entitled to retire after fifteen years' service, or on being disabled by permanent infirmity, in the case of any Judge (except the Lord Chief Justice who gets £4,000 a year) on a pension of £3,500 a year. Under the Act of 1950 these pensions were reduced by one quarter in return for certain other benefits (*e.g.*, lump sums payable on retirement or death) provided by that Act.

Those Judges who go on Assize have had their allowances put on a statutory footing by the new Bill. At the present time they receive an allowance of £7 10*s.* 0*d.* a day for their expenses on circuit.

The Judge's calling is one which demands very high qualities of intellect and character. Not least amongst the latter requisites are the characteristics of common sense, patience and tact.

A Queen's Bench Judge, moreover, is forced to spend a good deal of his time away from home travelling on Assize, and in common with his other colleagues who stay in London his duties are exacting. He deserves his circuit allowances on a firm footing.

The nation, secure in its pride over the outstanding traditions of British justice, must take proper care to see that its human representatives are not harrassed by financial insecurity at the same time as they carry out their high duties.

Scarborough Finances 1952/53

Scarborough had a population of 42,000 at midsummer 1952 and a rateable value at April 1 of that year totalling £557,000. The average rateable value of dwelling houses in the town is £24 and on this value rates levied during the year at 21*s.* 2*d.* in the £ would have cost the average ratepayer 9*s.* 9*d.* a week, of which 7*s.* 0*d.* was required for services administered by the North Riding of Yorkshire County Council.

To balance the accounts it was necessary to take £15,000 from revenue surplus, which stood at £87,000 at the end of the year. A 1*d.* rate produced £2,232.

Scarborough lives to entertain, and the Institute of Municipal Treasurers and Accountants is among the bodies which have found the town a suitable venue for annual conferences. Not surprisingly, therefore, Alderman F. C. Whittaker, Finance Committee chairman, and the Borough Treasurer, Mr. H. Wilson, F.I.M.T.A., have a circle of friends spread wide over Britain: these chairmen of finance committees and treasurers who know the shrewdness of Scarborough's financial controllers will be quite prepared to learn that the catering and entertainments enterprizes directed by the Corporation show a useful profit equal to a rate of 5¼*d.*, and that the charge to general rate fund in respect of the harbour undertaking was restricted to £725 after meeting capital expenditure from revenue of £1,970. It is true that the Yorkshire Lawn Tennis Club (acquired in 1935) cost the rates £2,800, but, as the report says, the publicity value to the town of the tournaments arranged "was considerable."

The housing undertaking is in a satisfactory financial position, holding a surplus on revenue account of £8,700, and on the repairs fund of £31,700, equal to £11 4*s.* 6*d.* per dwelling. At March 31, 1953, 2,821 houses and flats had been completed and arrears were only £362.

An unusual feature is the insurance and depreciation fund established under the Scarborough Order of 1921 to provide for the replacement and maintenance of property damaged by storm, accident, or other unforeseen causes. The annual contribution must not exceed a sum equal to two *per cent.* of the aggregate amount expended for capital purposes on such property. This fund had a credit balance of £35,000 at the year end but was faced with a contingent liability in respect of heavy cost incurred in repairing the damage of the great storm of January last. When the accounts were closed £12,000 had been spent and debited to a suspense account, pending the result of an application for Government aid.

Transport shows a useful profit of £4,100 as a result of an agreement negotiated with a bus company in 1931, and although the water undertaking had a deficit of £1,050 no charge to rates was necessary, the undertaking having a surplus in hand at April 1, 1952, of £8,350.

Net loan debt of £3,413,000 is outstanding against capital expenditure of £6,341,000 and is equal to £78 per head of population.

Transfers, Exchanges and Rents

The Fourth Report of the Housing Management Sub-Committee of the Central Housing Advisory Committee, published last month, is a useful addition to the authoritative literature available to housing authorities throughout the country.

Dealing with such questions as transfers and exchanges of tenancies and differential rent schemes, it draws on the experience of some of the many progressive councils concerned with housing and, initially, seeks to emphasize the fact, already underlined in this journal, that a better distribution of available accommodation would go a long way towards solving the housing problem. Quite apart from this consideration, the hard facts of economic life demand nowadays that the national labour force should be highly mobile and if this is to be achieved it is essential that housing authorities (and other property owners) should wholeheartedly co-operate in accommodating people from outside their own areas, whether that be effected by means of transfers, exchanges or even entirely new lettings. It is worth remembering, too, that where the cost of removal is beyond the means of the person concerned, the council may pay all or part of this expense, an outgoing which should yield big dividends if it brings about the vacation of a house needed for a family of different size.

Another means of securing the better use of existing accommodation is seen in taking advantage of the grants made for improvements and conversions under the Housing Act, 1949. Very likely this is so in theory, but if it is to mean anything in actual practice it will undoubtedly be necessary to simplify the administrative processes required by the Ministry which, we understand, are at present so long-drawn-out and tortuous as to discourage all but the most grimly determined applicants.

It is in connexion with differential rent schemes, widely discussed in the Report, that there will probably be most division of opinion. There is much logic in the argument that rents should vary with circumstances rather than that subsidies should be given irrespective of the incomes of tenants, but there are very considerable difficulties of administration involved, not only in starting but in maintaining such schemes, to say nothing of the reaction of tenants to them. Although many authorities charge differential rents, it may be found in districts where the social content is such that income ranges are narrow that schemes of this type are not worth the candle, and in these cases it is interesting to note that the Report, by implication, concurs in the view recently expressed in this journal—that where incomes are insufficient to meet normal rents the tenants should look to the National Assistance Board to bridge the gap.

Child Welfare in Western Australia

The annual report of the child welfare department for Western Australia is of interest as showing how some problems which are to be found in all parts of the British commonwealth are tackled there in comparison with the practice in this country. In Australia, child welfare is the responsibility of each state—not of the commonwealth parliament—and much of the work which falls within the scope of local authorities in this country is undertaken centrally by the state. The child welfare department has a

variety of functions, varying to some degree from state to state, and includes the boarding out or placement in institutions of children committed by the courts; the supervision of children on probation; preventive work in respect of difficult children; investigation of complaints of neglect or ill-treatment; the supervision of children under six placed in foster homes by their parents; the licensing of children for street trading; the establishment of Children's Courts and the appointment of members. Other duties may include the financial assistance of unmarried mothers and of aged or sick persons not covered by the commonwealth social service scheme. As far as possible children are boarded out rather than being placed in institutions but, in Western Australia, all the institutions used for this purpose are maintained by religious bodies to whom maintenance payments are made on a capitation basis. The Western Australia report refers, in detail, to the work of the staff in investigating complaints alleging neglect or destitution of children. There is no organization corresponding to the National Society for the Prevention of Cruelty to Children having statutory powers in this connexion. Most of the complaints referred to the department are groundless but in others efforts are made to stabilize the family so that the children's welfare is promoted. If necessary, the case is brought before the Court. It is an important function of the department to make all necessary inquiries in connexion with applications for legal adoption or to arrange such adoption for children in its care. All adoption orders are made by a judge of the Supreme Court.

Loans Sanctioned

Details of local authority loans sanctioned by the Minister of Housing and Local Government in the quarter ended September 30 last indicate that capital requirements of local authorities are not greatly in excess of the level obtaining in 1952/53, sanctions issued in the six months to September 30 totalling £250 m. as compared with a figure for the twelve months to March 31, 1953, of £475 m.

Housing again stands alone in the size of its demands: for the six months' sanctions issued amounted to £184 m. and in addition £2 m. was required for police housing. In comparison education called for only £29 m., sewerage and sewage disposal for £10 m. and water supplies for £9 m.

The small volume of highway improvements involving capital finance is evident from the sanctions granted, the total for the six months being only £2 m.

The Cost of Private Education

Many of our readers are, no doubt, finding it increasingly difficult to pay the cost of the education of their children in preparatory and public schools. In view of the constantly increasing education rate it would be reasonable that those who do not choose to take advantage of the schooling provided thereby should have some rebate from their income tax. Of course, some may argue that what is good enough for one child should be good enough for another, and if one parent feels that for personal reasons he wants his child educated other than at the public expense, why should he not pay for this? Others may go further and say there should be no private schools at all. Those who argue for concessions to parents in this matter have a precedent from Australia where last year, for the first time, a parent could claim a special allowance of £50 as a deduction from income tax in respect of the cost of educating a child or dependant under the age of twenty-one. This is in addition to the normal allowance in respect of children. In this year's budget, the allowance is increased to £75 and may be allowed in respect of expenses ancillary to education as well as in respect of fees. The free education provided in State schools in Australia does not always include the cost of travelling, so in this case the parent will be able to claim under the new allowance, but otherwise the concession only benefits those parents who send their children to private schools, of which a very large proportion are maintained by the Roman Catholic church and charge comparatively low fees.

Councils of Social Service

Councils of Social Service, or Rural Community Councils, are generally recognized as providing useful links between those who are responsible for the administration of statutory services—national and local—and various types of voluntary organizations which are associated with them. It is, therefore, interesting to compare the last annual reports of the Councils for London, Herefordshire, Kent, Nottinghamshire and Surrey. Rural industry organization, which is financed largely by the Development Commission, is an important part of the work in the rural areas and the reports show the support which is given to rural craftsmanship. In Hereford, the council is particularly concerned to ensure, as far as possible, that where a rural craftsman is carrying out work which is of value to the rural life of the county, or which is traditional, a successor is found to carry on the craft. The Kent report shows that the purpose of this service is to aid craftsmen who desire to raise the standard of their work and chiefly those most closely associated with agriculture. Altogether, the names of some 465 craftsmen appear in the council's records. To implement the purpose of the service, an effort is made to introduce modern methods and equipment as an extension of traditional craftsmanship; and by so doing to enable the old crafts to maintain themselves in a "machine age." In Nottinghamshire, the variety of rural crafts is not so great as in some of the Southern counties, but at least ninety-two *per cent.* are working directly for agricultural requirements. On careers day at Dorking County Grammar School, a stand was staged by the Surrey council with "apprenticeship to the rural crafts" as its theme. The rural industries organizer attended and answered questions on rural work.

It has always been an important aim of the councils of social service to endeavour to ensure that village halls are provided throughout their area, but the curtailment of government grants since the war has made progress slow. In each county new halls are being provided and in a few instances, where considerable money had been raised locally, the work has been done without grant-aid by obtaining a civil building licence.

Old people's welfare is largely an urban problem, but the reports show activities also in rural districts. In some of these reports, such as Hereford's, mention is made of holiday schemes which have been organized. The London Council of Social Service arranges a periodical conference of matrons of old people's homes which is believed to be the only conference of its kind in the country. The council organized over 100 outings of old people to women's institutes. The uprooting of thousands of families and transplanting them *en masse* from different districts to newly-built estates either within London or beyond constitutes, in its social implications, a phenomenon which, in the opinion of the London Council of Social Service, has received insufficient attention from sociologists, and the council is particularly concerned with the new estates. It is trying to help the formation of social groups with family membership or, in a wider setting, community associations.

Education also provides an opportunity of service, and a noteworthy feature of the work of the Nottinghamshire council is the provision of a lecture service in villages throughout the county,

totalling at least 250. The lectures are on varied subjects but travel is the most popular. The council also provides a film service. Action towards the preservation of the countryside is another activity of the councils, which usually have a committee representative of the varied organizations interested. They have taken an interest in the county development plans with a view to making representations where the amenities of the countryside appear to be affected. Other activities sponsored by various councils, and sometimes by all of them, are tuberculosis care, family welfare, drama and local history.

JUSTICES' CLERKS' ACCOUNTS

The form of accounting records to be kept by clerks to justices was prescribed by the Summary Jurisdiction Rules, 1915, as amended. The records are well known to our readers and accordingly it is not proposed here to describe them in detail : it is sufficient to say that the accounting systems of which the records form a part are not recognized as universally efficient, and we quote in support of that view the Report of the Departmental Committee on Justices' Clerks (Cmd. 6507, published in 1944) :

" In some areas the accounting methods appear to be satisfactory, elsewhere they leave much to be desired. There is no generally prescribed or uniform procedure as to the receipt or disposal of money. Payments are made to the warrant officer or to the assistant who happens to be most easily available. Frequently receipts are not given, and there is no system of cross-checking to prevent irregularities. There is no requirement that these moneys should be paid into a public banking account and we have had evidence that in some cases no separate banking account is kept, and money received is in many cases mixed with the office petty cash."

The Justices' Clerks (Accounts) Regulations, 1953, made by the Secretary of State under powers conferred by the Justices of the Peace Act, 1949, improve the previous position in one important aspect by prescribing that separate bank accounts must be kept for each class of sums for which audit provision is made in the Regulations, subject to the proviso that the responsible authority or local authority may dispense with the requirement of maintaining a bank account for the sums made available as an imprest for office expenses, etc., or made available as an imprest for witnesses allowances. Only sums of the appropriate class are to be paid into each bank account. The purpose of the Regulation is that a clerk is, at the least, to have a bank account for the fines, fees, etc., and periodical payments ; if additional bank accounts are judged necessary, as, for example, a separate account for sums received as collecting officer, there is power to maintain them. If moneys relating to an imprest account for office expenses or witnesses' allowances are banked it must be, in each case, in a separate account ; but if cash imprests are adequate for these purposes then, with the consent of the appropriate authority, a bank account need not be opened in respect of them.

This provision forges in the chain of security an important new link, the absence of which in the past has incurred censure from the courts when from time to time justices' clerks have been before them on charges of fraudulent conversion.

So far as written accounts are concerned, however, the Regulations merely prescribe that the justices' clerk is to keep such written accounts of all sums received or paid by or owed to him as shall be necessary to render to any authorized person inspecting the same a clear and accurate account of the said sums ; and in the circular accompanying the Regulations we are informed that the Secretary of State does not at present propose to prescribe either a system of accounting or any forms of accounts, though he will consider the desirability of doing so in due course. Thus, subject to the necessary alterations arising from the passing of the 1949 Act, no change in the present system of accounting need be made, and having regard to the fact that the accounting principles enshrined in the Rules of 1915 are largely based on the ancient ideas put forward in the Summary Jurisdiction Rules, 1886, we regard the position as unsatisfactory. We trust that action to ensure efficient, uniform modernity will not be long delayed.

The audit problem required an immediate decision, and a decision has been made, but we are bound to say that we do not regard the solution as a happy one. It will be recalled that the Departmental Committee emphasized the importance of an efficient system of audit of justices' clerks' accounts in view of the large sums of money passing through their hands, and then went on to point out that no such provision existed, justices' clerks being almost alone among public officers in not having their accounts subject to a statutory audit. It was recorded, however, that in many cases arrangements had been made for the accounts to be audited by the local authority, although the scope of this audit varied considerably, and that an arrangement had been made in 1930 (only after a recommendation of the Public Accounts Committee) whereby the accounts were periodically examined by Home Office examiners with a view to ensuring that fines due to the Exchequer were properly accounted for. It was also pointed out that with some few exceptions there was no audit of moneys payable to private persons and no obligatory audit of the accounts of collecting officers. After considering the relative merits of audit by a Department of the central government or by local authorities the Committee, with one dissentient, recommended that local audit should be adopted, the responsible authorities to be the County Councils or councils of the larger boroughs outside the proposed grouping schemes. The Committee majority expressed the view that because the machinery for local audit was already in existence it would be easy for a running audit to be maintained, and gave no weight to the suggestion that such an arrangement would give the local authority an opportunity for putting improper pressure on the justices. The Committee stated that the auditors, although members of the staff of the local authority, are themselves in an independent or quasi independent position and would only be concerned with matters of accountancy and office administration and not with the exercise of the judicial functions of the justices.

The Home Office have rejected this view and adopted that of the one member of the Committee who advocated a central audit. The reasons given by Sir Claud Schuster were that local authorities have no financial interest in the accounts, that the justices, acting through their Committees, should conduct the detailed administration of so much of the work of their courts as is not done in court and will do so better if they are assisted by the visits of an auditor who has no local ties and wider experience, and that the central fund will be liable for any deficiency in the amounts collected. These reasons do not seem to us so compelling as apparently they did to the Home Office. It is a strange doctrine that an auditor cannot be efficient unless he or his employer have a financial interest in the accounts under audit ; a great number of magistrates' courts committees have appointed local authority treasurers as their financial advisers ; and by s. 28 of the 1949 Act the responsible local authority must make good defaults of justices' clerks.

Nevertheless the new system prescribed by the 1953 Regulations and the accompanying Circular names the officers of the County Courts Branch of the Lord Chancellor's Office as the persons charged with the duty of carrying out a full audit of fines, fees, etc., and of sums received as collecting officer, while the agents of the magistrates' courts committees are authorized to carry out a cash audit, which the circular suggests should be undertaken at fairly frequent intervals on the recommendation of the financial advisers to the committees. So far as the audit of imprest accounts is concerned, however, precisely the reverse procedure is laid down—a full audit by the local authority and a cash audit by the County Court auditors. If the full audit of fines, fees and collecting officers' accounts is to be effective it must be carried out at least quarterly: experience has taught us that this is the only way in which arrears can be kept down. Quarterly returns to central departments are well enough in their limited way, and so are follow-up letters, but effective action can only be taken on the spot, and for this kind of action the County Court auditors are indeed ill equipped. We go so far as to say that the work cannot be done by existing staffs. If, on the other hand, an effort is to be made to do the job thoroughly, numbers of new civil servants must be employed and the justices' clerks must be visited periodically by two different sets of auditors. Such a system involves, in our opinion, unjustifiable waste of manpower and money (consider travelling and subsistence expenses, for example), and is completely unnecessary. The adoption of the views of the Departmental Committee would have enabled the absorption of the whole of the audit work by existing machinery (which was already doing it in many cases) at little cost, and if Departments were still fearful that Departmental interests were not safeguarded the local running audit could have been supplemented by an annual audit by the District Auditor, who incidentally already acted under the provisions of certain Stipendiary Magistrates' Acts. This suggested procedure has been followed successfully for many years in a case where much larger sums of Government money are involved than in the case of justices' clerks, namely, the motor tax collections and accounts of the county and county borough councils.

We hope that those interested in the cost of government and the efficient working of justices' clerks' offices will keep the new procedure closely under review and secure in the not too distant future a detailed investigation of the way in which it is working, and the cost involved.

THE FORMATION OF LOCAL GOVERNMENT POLICY

[CONTRIBUTED]

I. WHAT IS POLICY ?

This was a question put recently to candidates on the short list for a senior municipal appointment. To answer this we must consider the function of a local government authority which is to make provision, within its powers, for the well being of the inhabitants of the area. This provision takes the form of services, facilities and amenities which broadly speaking are of (i) essential, (ii) utilitarian, (iii) cultural or instructive, (iv) recreational, or (iv) protective character. For example, waterworks and hospitals might be grouped as " essential " ; transport, highways, bridges and lighting as " utilitarian " ; education, libraries, art galleries and museums as " cultural or instructive " ; parks, recreation grounds and playing fields as " recreational " ; police, weights and measures, public health, social services, and cleansing as " protective."

The appropriate authority for providing these facilities is the council. The extent to which they may be provided depends upon the status of the council. Should a council desire to promote some scheme for which it has not the requisite authority, it must obtain parliamentary sanction.

The conception and the method of carrying out a big development plan for the area, a school building programme, the establishment of a transport undertaking, or the construction of a huge reservoir, constitute major items of policy. Undertakings of this magnitude are long term projects, necessitating progressive stages of development, each of which may afford alternative methods requiring the adoption of some specific policy. While policy is usually associated with important issues, it is not confined to public works, and may in fact be identified with any local government problem necessitating the establishment of some procedure, principle, or system.

Policy may therefore be described as a predetermined course of action, which the local authority intends to follow to achieve a specific result.

II. NATURE OF POLICY

There is nothing static about policy. It is subject to so many influences that it is liable to modification or even discontinuance—often at short notice. Unless policy can fructify, apart from the benefit accruing from the ventilation of opinions, it covers little purpose. Any important topic coming within the range of a council's activities may form the subject of policy. The final attainment of the object sought marks the culmination of policy. Within limits, council minutes and even standing orders reflect previous policies which have been adopted.

III. TYPES OF POLICY

A policy may evolve by direct or indirect action. The following may be regarded as issues of a controversial character requiring some settled policy by the direct action of the council itself, *viz.*: (i) Should municipal houses, where the tenants are not subject to a means test, be subsidized by the rates? (ii) Should contracts for public works or maintenance be undertaken by direct labour or let out to public tender? (iii) Should surplus profits from a trading undertaking be devoted to rate relief or to a lowering of service charges? (iv) Should stationery, office requisites, and uniform be bought departmentally or through a central buying department? (v) Should chairmanships of committees be party appointments or be filled by individuals of proved business capacity and experience, irrespective of party? (v) Should the profit motive or public convenience be the prime factor in running a local authority's transport undertaking?

If official or teaching staff are granted leave of absence during working hours to attend courses of instruction or lectures, bearing on their work, this is tantamount to part of accepted policy for staff training. This may or may not be by direct action. If it is done voluntarily and solely at the discretion of the local authority, then it is by direct action. If, on the other hand, it is arranged at the instance of a government department or national organization it is through indirect action.

Many municipally controlled services may in some measure be subject to supervision or regulation by outside authority, *e.g.*, police, by the Home Office; education service by the Ministry of Education; transport by Traffic Commissioners, and the policies regarding these services are therefore indirectly affected.

If the conditions of service of a local authority's staff or employees are subject to external regulation then any policy

affecting them is affected by indirect action. For example, the salaries, holidays, and hours of work of official staff are governed (with limits) by a national charter ; the wages, hours of labour, and holidays of other employees are settled by Whitley Councils ; teachers' salaries, minimum holidays, and pensions are settled on a national basis.

The establishment of officers for the different departments of a local authority is a matter solely for the council. The establishment of teachers for each area is however settled by the Ministry of Education, though usually after consultation with the authority. This ensures (with the prevailing shortage of teachers) that each authority, having regard to its size, gets its fair share of the available new entrants from college.

It will be realized, therefore, from the foregoing, that the council, while being the responsible authority for the conduct of the town's activities, is not by any means the sole arbiter of policy, and, as will be evidenced later, there are other influences.

IV. A PRE-REQUISITE

Not an insignificant portion of the community, because of apathy in or lack of contact with local government, might conclude that the points of view of potential councillors as expressed in election addresses, or in meetings of the ward's electorate, are indicative of future council policy. Individual opinion as a contribution to policy is only of value if it finds acceptance by a committee or by the authority itself. Similarly, while a committee may have some clearly defined policy, to be of practical effect it must in due course be countenanced by the council, for effect to be given to it.

V. LIMITATIONS ON POLICY

There are many factors, external and internal, which have an important bearing on the formulation of local government policy.

(*a*) *External.* At the outset the powers of an authority depend upon its status, *i.e.*, whether it is a county, county borough, borough, urban district, rural district, or parish council. Any expenditure outside these powers can in most of these cases be disallowed by the District Auditor.

Many of the services undertaken by local authorities are subject to the provisions of special Acts of Parliament which cannot be contravened. Under a great many Acts, Ministers of the Crown are empowered to issue rules and regulations—subordinate legislation which has the force of law.

Where government grants are allowed towards certain local government services, the particular service has to maintain a standard of efficiency to justify the grant.

If some proposed local undertaking involves government financial assistance, review from many angles may be necessary, and in any case government approval is not forthcoming until plans, estimates of cost, and full details have been furnished.

During recent years when the nation's efforts have been primarily concerned with the successful prosecution of a war, resulting in shortage of labour and materials for civil purposes, systems of priority on a national basis have had to be introduced, which have necessarily curtailed (or even checked altogether for long periods) the development of local policy.

Some Acts, such as the Town and County Planning Act, 1947, have imposed on authorities the duty of preparing and submitting long term development plans which, while reserving a certain amount of local latitude, have in principle defined the outline of policy for years ahead.

(*b*) *Internal.* Most members of a council are sponsored by one of the three main political parties and are expected to subscribe to the dicta of the party on matters of policy.

It is customary for the members of each party to meet informally before a council meeting, to discuss the business due to be transacted and to consider the attitude to be adopted. To what extent pressure is exerted on individual members to follow the lead is a matter for the particular party. It is by no means unusual for members who act on their own initiative and contrary to party policy to be subjected to disciplinary action.

The dominant party in the council which has a substantial overall majority may plan a policy without danger of its being nullified by the remainder of the council, but if it has only a slender majority it may be outvoted by the combined opposition of the other two parties.

Standing orders, the result of previous decisions of the council, may regulate procedure and, to some extent, the way in which certain transactions have to be carried out.

The Finance Committee, watchdog of income and expenditure, with their consequential effect on rates, has to exercise careful scrutiny over the spending of money by other committees. It may approve or modify the estimates of each department for the ensuing year and unusual expenditure over a certain figure, not previously budgeted for, has to secure the finance committee's approval.

In certain cases a council may delegate all its powers, except levying a rate or borrowing money, to a particular committee, subject to the committee's proceedings being submitted to the council. In such cases it may not interfere unduly with the detailed administration by the department, so long as everything appears to be functioning satisfactorily.

To a certain extent the jurisdiction of the council over the proceedings of the watch committee, which controls the police, is limited.

VI. WHOM DOES POLICY CONCERN?

It is doubtful whether, apart from those who wish to serve the public, those who have business with the authority, and those who are in its service, there is an absorbing interest in town government by the bulk of the inhabitants. Many do not exercise their vote at municipal elections, members of the public do not gather in great numbers at council meetings, and correspondents who write to the press do not always appear to be well informed.

The well-being of the inhabitants of a town is linked with good government. A well-managed town has adequate facilities which spring from an enlightened policy. Both to public representatives and to officials policy is of the highest importance. Senior officials are closely associated with the initiation and development of policy. Younger officials, who have to qualify by examination for promotion, must study policy, which determines how the town's affairs are to be conducted. The chief concern is the electorate's, who benefit from the facilities, and have to meet the cost, either through the rates or by taxation.

VII. DETERMINATION OF POLICY

Even members of the public may, by drawing the notice of councillors or officials to some matter requiring attention, or writing to the press, sow the germ of policy. Public representatives in their individual capacity may help to establish policy by contributing to discussion, or collectively as a committee or council by the exercise of their votes following debate. Chief officials with the combination of expert knowledge and experience of their own particular branch of work do much to initiate and develop policy. The council is the responsible authority for policy but officials are always available to offer such advice as may be needed.

VIII. THE FUTURE

The extent to which policy will change in the future is bound up with recent proposals for local government reform and any legislative action which may take place. The county councils are loth to lose rateable value ; in the smaller authorities civic pride stands high. The various authorities of similar status are bound together by national associations who are watchful of their respective interests. Any material change in unitary administration will inevitably affect the policies of local authorities concerned.

IX. CONCLUSION

To sum up, we may conclude that the council aided by committees, individual members, and chief officials, is responsible for the formulation of local policy ; that there are limitations on policy which are determined by legislation and various kinds of influences external and internal, and that the policy of individual authorities in the future may be affected by any reform of local government which Parliament may sanction.

REPORT OF THE CENTRAL AFTER-CARE ASSOCIATION

The report made to the Secretary of State by the council of the Central After-Care Association for 1952 deals separately with the men's division, the Borstal division and the women's and girls' division of the work. The chairman (Sir Lionel Fox, C.B.) in a covering letter expresses the council's appreciation of the help and co-operation of probation officers who recognize that after-care is an essential continuation of the period of institutional training ordered by the court and regard it as a form of case-work no less important and exacting than the supervision of probationers. He also expresses acknowledgment of the work of the placing officers of the Ministry of Labour who interview prisoners some time prior to their release so as to discuss plans and prospects. It is satisfactory to learn that of 678 prisoners discharged from sentences of corrective training in 1952 who required help in finding employment 511 were placed in employment by the Ministry while a further eighty-six were found employment directly by the association. On borstal after-care, there is a note that while unfortunately it is the lads with whom training and after-care have failed who are liable to figure most prominently in the public eye, yet " the struggle towards success is more dramatic than the sordidness of failure ": and reference is made to lads who " with every possible handicap, physical, mental or social " have yet responded to the help and guidance offered them and have finally achieved " a way of life that by our standard is good and by their previous standards is little short of miraculous." The borstal lads—and still more the adult prisoners with whom the association deal—have already "failed" before they came into the care of the association. It is a question of turning failure and often desperate and repeated failure into ultimate success.

The report includes as an appendix a brief history of the development of aid-on-discharge and statutory after-care leading up to the establishment of the association in 1949. It is emphasized at the outset that modern methods of prison treatment aim increasingly at the social rehabilitation of the prisoner by preparing and fitting him to take his place as a normal member of society. This help to discharged prisoners has for over 100 years developed on the basis of a partnership between the State and voluntary social service and it is suggested that the National Association of Discharged Prisoners' Aid Societies presents an interesting example of this partnership in that its administration is wholly financed from public funds, and the numbers and gradings of service of its staff are controlled by the Prison Commissioners though its management is in the hands of a committee freely elected by the affiliated societies.

The Central After-care Association was established in 1949 to meet three primary purposes—First, the necessity to meet the requirements of the Criminal Justice Act, 1948, which had very largely increased the categories of offenders to be released under a licence requiring positive supervision and after-care ; second, to create out of the hitherto unrelated bodies in this field one comprehensive organization, so that what is one problem would be dealt with on common principles ; and third, to secure that the work of the organization should be so far as possible integrated with the closely related work of the local societies affiliated to the National Association of Discharged Prisoners' Aid Societies. The council is representative not only of private persons with special interest in the work, of the National Association and the Women's Voluntary Services, but also of the Ministry of Education, the Ministry of Labour and National Service, the War Department, the Prison Commissioners, the National Assistance Board, and the Probation Service.

Members of the staff of the association visit each prison regularly and give special attention to the corrective training establishments so that early contact may be made with the man who will be released subsequently to the care of the association, and thus make him aware of the interest taken in him. The task of preparing for a man's release is seldom straightforward or easy and often involves protracted negotiations. In the first place consideration is given to the reports of the Governor and those of his staff who have had the care of the prisoner. Next the case is referred to the Ministry of Labour, after which it is decided into which area the prisoner is to return, when details are sent to the local associate—usually the local probation officer. No man with whom the association is concerned leaves a prison without being suitably clothed and adequately provided for, and every man requiring assistance is placed in touch with the National Assistance Board. During 1952, twenty-six prisoners were released from preventive detention as compared with six in the previous year. A person sentenced to preventive detention serves it in three stages ; first in a local prison where he may be two years according to conduct ; next in Parkhurst Central Prison ; and finally when the prisoner reaches a date which is twelve months before he has served two-thirds of his sentence, he must be brought before the Advisory Board which, under the Prison Rules, has the power to decide whether he shall be brought into the third stage after which he may be recommended for release when he has served two-thirds of his sentence.

The work done by the Council and its officers must often be thought to be a thankless task, but it must be remembered that at least ninety *per cent.* of the cases dealt with have serious criminal records. A risk has to be taken with most of the men and it is not always the man who has given the officer most encouragement who succeeds. The experiment in home leave for certain " Star " prisoners from Leyhill and Wakefield is said to be a confirmed success. Certain selected men have been allowed to proceed home for a long week-end within a few months of their discharge, when preliminary arrangements are made for the man's welfare and, if possible, for employment on his discharge. So far every man has honoured the trust placed in him and returned to prison to finish his sentence.

An officer of the Borstal Division meets all new receptions at Wormwood Scrubbs and Latchmore House and keeps in touch

with the lad subsequently. There are many difficulties and a special problem is the homeless lad who often has to be found not only accommodation but also employment suited to his particular needs. It is necessary, too, to find accommodation for these lads during home leave which, if possible, should be in the area to which the lad will go on discharge. In most areas there are associates who are able and willing to seek out suitable lodgings for the homeless, but this is a most difficult task; in other areas the associate is not able to help in this way. It is often necessary to place lads in hostels, which, however good they may be, are not as satisfactory as good lodgings for the lad who may have already spent much of his life in institutions. Lodgings are required for 400 cases every year.

MISCELLANEOUS INFORMATION

JUSTICES AND THEIR CLERKS—STATEMENT BY THE LORD CHIEF JUSTICE

On November 16, the Lord Chief Justice delivered the following statement: "In three recent cases the Court has had to consider the question when, and for what purposes, it is proper for a clerk to justices to accompany them when they retire to consider their decision, or to remain in their room while a case is under consideration. It is evident from letters received both by the Lord Chancellor and myself, and from correspondence in newspapers, that there is uncertainty in the minds of magistrates on the subject and indeed some degree of misunderstanding as to the effect of what was said in the cases to which I have referred: *R.* v. *East Kerrier Justices, Ex parte Munday* (1952) 116 J.P. 339, *R.* v. *Welshpool Justices, Ex parte Holley* (1953) 117 J.P. 511, and *R.* v. *Barry Justices, Ex parte Nagi Kashim* (1953) 117 J.P. 546.

"I propose, therefore, to endeavour to clear up the matter and have the authority of the Lord Chancellor to say that he concurs in the statement that I am about to make, as did all the Judges who were parties to the decisions I have mentioned.

"First, as to the matters on which magistrates may consult their clerk, it is clear that they may seek his advice on questions of law or of mixed law and fact, and also on questions regarding the practice and procedure of the court. The latter are indeed questions of law. There are other matters on which justices may require the assistance of their clerk and on which they are entitled to ask his advice. They may, for instance, ask him for information of the sentences which had been imposed by their bench or neighbouring benches in respect of offences similar to that which they are trying. It is indeed most desirable that penalties for such matters as obstruction by vehicles, lack of lights and such other what may be called 'public order offences,' should have some degree of uniformity. Moreover, it would be proper for the clerk himself to call the justices' attention to the fact that a question of law does or might arise if they do not appear already to be aware of it. It would then be for them to consider whether they wanted his further advice on that question.

"In no circumstances, however, may justices consult their clerk as to the guilt or innocence of the accused, so far as it was simply a question of fact, but if a question arises as to the construction of a statute or regulation they may consult him on whether the facts found by them constitute an offence—because that would be a question of mixed law and fact. They may also properly ask the clerk to refresh their memory as to any matter of evidence which has been given. They can take with them or send for any note which the clerk may have taken, and if there is anything in the note which needs elucidation, or if they think that something had been omitted or wrongly taken down, it would be perfectly proper for them to consult him.

"They must not ask his opinion as to the sentence which they ought to impose but they might, as I have said, ask for information as to the sentences imposed for comparable offences, and they certainly might consult him on what penalties the law allows in any particular case if they did not already know it, and on any consequential matters, that might follow on conviction. One obvious instance would arise on convictions for certain motoring offences—whether reasons which they were prepared to give could amount to special reasons for not disqualifying a driver, according to the decisions of the High Court on that subject. They may also want to know whether a case was one in which they could require sureties for good behaviour in addition to imposing a penalty.

"As regards the manner in which justices may consult their clerk, the Court, I think, made it clear in the *East Kerrier* case that the decision of the court must be the decision of the justices, and not that of the justices and their clerk, and that if the clerk retired with the justices as a matter of course, it was inevitable that the impression will be given that he might influence the justices as to the decision, or sentence, or both. A clerk should not retire with his justices as a matter of course, nor should they attempt to get round the decisions to which I have referred merely by asking him in every case to retire with them, or by pretending that they require his advice on a point of law.

"Subject to this it is in the discretion of the justices to ask their clerk to retire with them if in any particular case it had become clear that they will need his advice. If, in the course of their deliberations, they find that they need him, they could send for him. On this matter I would stress one further point—that if the clerk does retire with the justices, or is sent for by them, he should return to his place in court as soon as he is released by the justices, leaving them to complete their deliberations in his absence and come back into court in their turn. I wish to add that the rulings which the Divisional Court has given on the subject derived from, and were really part of, the rule so often emphasized that justice must not only be done but must manifestly appear to be done, and if justices bear that in mind I feel sure that they would have no difficulty in loyally following the decisions of the Divisional Court of the Queen's Bench Division.

"I should add that the rulings of the Court did not apply to justices when exercising jurisdiction in matrimonial cases, as they are then subject to the directions and control of the Probate, Divorce, and Admiralty Division."

CONTROL OF PRESERVATIVES IN CERTAIN FOODS

The use of preservatives in certain foods, until now permitted under Defence (General) Regulations, will in future be controlled under permanent legislation by means of the Public Health (Preservatives etc., in Food) (Amendment) Regulations, which came into operation on November 11, 1953, in England, Wales and Northern Ireland and from November 16, 1953, in Scotland. These regulations will continue to permit the addition of preservatives to certain dehydrated vegetables, jams and citrus fruits, and will also permit, until the end of rationing only, the continued addition of borax to margarine.

These provisions, except that concerning the addition of borax to margarine, will be examined by the Preservatives Sub-Committee of the Food Standards Committee during its general review of the Preservatives Regulations.

The Public Health (Condensed Milk) (Amendment) Regulations, which also came into force on November 11, 1953, in England, Wales and Northern Ireland and on November 16, 1953, in Scotland, allow the Minister of Food to continue importing, under current contracts which expire next year, full cream unsweetened condensed milk which is less concentrated than is required by the United Kingdom standards. The importation and sale of this milk had previously been permitted under the Defence (General) Regulations. When the contracts end, all full cream unsweetened milk imported into the United Kingdom will have to conform to the Public Health (Condensed Milk) Regulations.

ENEMY PROPERTY ACT, 1953

Payments have from time to time been made to a Custodian of Enemy Property, and moneys being the proceeds of sale of property have been held by him, in the belief that the person to whom the moneys were due or the property belonged was an enemy within the meaning of the Trading with the Enemy Act, 1939—a belief which has subsequently proved to be incorrect. In such cases it is the practice to repay the moneys as soon as the facts have been established.

Attention is now drawn to the provisions of s. 4 of the Enemy Property Act, 1953, which became law on October 29, 1953, under which in addition to the capital sum repaid by the Custodian in such cases the recipient (or his successor in title) is entitled to receive interest at the rate of three-quarters of one *per cent. per annum* for the period during which the money was in the Custodian's hands. If the payment by the Custodian was made on or before October 28, 1953, the

recipient (or his successor in title) must, under the terms of the section, apply for interest, in writing, before October 29, 1954; otherwise the right to receive the interest lapses. The provisions of the section do not apply to moneys which under the law were "due to an enemy" even if they have been released by the Custodian.

Persons to whom money has been repaid and who believe they have a claim to receive interest either because the money originally paid to or held by the Custodian was not "money due to an enemy" or because the property of which the money is the proceeds was not "enemy property" are advised to consult the text of s. 4 of the Enemy Property Act, 1953. Claims should be made to the appropriate Custodian who may require claimants to produce reasonable supporting evidence. It will assist the Custodian to deal promptly with claims if applicants quote the file reference and date of repayment on their claims, which should be headed "Interest."

In any case in which money thought to come within the terms of the Section has been repaid by a Custodian on or after October 29, 1953, without the addition of interest, the position should be brought to the notice of the Custodian concerned without delay.

LOCAL AUTHORITIES—LOANS

In the matter of Ministry of Housing and Local Government circular 22/52 dated February 13, 1952, the Lords Commissioners of Her Majesty's Treasury have now directed that the following rates of interest shall apply to all loans advanced to local authorities, as defined in s. 10 of the Local Authorities Loans Act, 1945, from the Local Loans Fund on and after October 20, 1953:

	Per cent.
Loans for not more than five years	2½
Loans for more than five years but not more than fifteen years	3½
Loans for more than fifteen years	4

Reminder: By virtue of s. 92 (2) of the Housing Act, 1935, the rate of interest on advances made by local authorities under the provisions of the Small Dwellings Acquisition Acts is fixed at a rate ½ *per cent.* in excess of the rate of interest which, one month before the date on which the terms of the loan or advance are settled, was the rate fixed by the Treasury in respect of loans from the Local Loans Fund to local authorities for housing purposes.

CAUSES OF BLINDNESS

Increase in Registrations

A sharp increase in the number of newly-registered blind since 1948 is recorded in a Report published on Wednesday, October 28, by the Ministry of Health, called "The Causes of Blindness in England, 1948-50." It has been compiled by Professor Arnold Sorsby.

The increase has been from 7,586 for the year ended March 31, 1948, to 11,155 in 1951, and represents "a striking contrast to the relatively stationary figures in the antecedent years."

Two factors appear to have contributed. There was the natural increase in the population with an ever-growing proportion of persons aged seventy or more. Then, apart from any continuing greater readiness for people to seek registration as the Blind Welfare Service is becoming more widely known, there was also, apparently, a greater readiness for examining surgeons to certify borderline cases.

Increase among Children

There appeared to have been an actual increase in the number of blind children. More effective registration may have accounted for the increase in the age group 1-4 (1949, 118: 1950, 122: 1951, 136), but the emergence in recent years of retrolental fibroplasia as a new blinding affection in infants was likely to have contributed to the increase in the age group 0-1 (1949, 21: 1950, 34: 1951, 44). In the age group 5-15, the rate per 100,000 of the estimated population aged 5-15 years had decreased from 21·6 in 1949 to 21·2 in 1951, the number of registered blind in this group being virtually stationary at just under 1,400.

Some of the Principal Causes of Blindness

Diseases of old age such as cataract, glaucoma and senile macular degenerations now account for 59·7 *per cent.* of all causes of blindness as compared with 44·4 *per cent.* in 1948. Two other factors of increasing importance in blindness in the elderly were vascular diseases and diabetes, which account for 2·6 *per cent.* and 4·3 *per cent.* of cases, respectively. On the other hand, two affections of young people—congenital syphilis and ophthalmia neonatorium—show marked decreases as a cause of blindness.

Certification

Remarking that registration as a blind person is a serious undertaking for both the individual and the examiner, the report comments: "The serious issue as to whether an individual is blind or not, and the still more serious consideration whether his blindness can be relieved, would seem to be a responsibility which only a consultant with his direct access to hospital facilities should be called upon to shoulder."

Preventing Blindness

Even more than in previous years the problem of blindness has become a problem mainly bearing on the elderly. There is a high proportion of cataract patients who have not had any treatment—as much as 80 *per cent.* in the present study; and the considerable proportion of glaucoma patients who are blind in spite of operation is as much as 57·8 *per cent.*

Time lost in getting treatment for glaucoma "spells irretrievable loss of sight." Though there were still many difficulties, early diagnosis was not an impossible objective today, but it was obvious that early diagnosis was the exception rather than the rule. "It may fairly be asked whether the present organization of eye hospitals is adequate to cope with the time-consuming special methods that are called for."

The problem of blindness in the young was largely a problem of the congenital and hereditary affections and was still largely one for intensive investigation; this applied also to myopia "which bears so heavily on the middle-aged."

In his summing-up, Professor Sorsby says that his present study bears out the "gloomy forebodings" he had previously made—that in the absence of new measures no substantial decline in the incidence of blindness was to be expected in the immediate future and there was a possibility of an actual increase owing to a shift in age distribution. It also bears out the pessimistic expectation that the striking decline since 1923 in the incidence of blindness in school children would become steadily less marked. In fact, there was now no decline.

But he concludes: "None the less, the outlook is hopeful, for tangible measures which would reduce the incidence of blindness and the burden of visual defect are now within reach."

GOVERNMENT ACTION IN WALES

Cmd. No. 8959, the eighth annual paper on Government Action in Wales, was published on October 15. Besides a comprehensive survey of industrial employment and development, half the report is concerned with local administration, welfare and education; this is, in fact, the seventh annual report of the Conference of Heads of Government Offices in Wales.

In a population of more than two and a half millions, unemployment rose slightly above the figures for 1951-52, and stood in June, 1953, at 25,682. But there was an encouragingly rapid absorption into other industries of the hands discharged by the tinplate and aluminium concerns during their recession, and the programme of development, which has already created 137,000 additional factory jobs in Wales, is continuing.

Six thousand more people than last year were receiving National Assistance grants; nine new residential homes for old and infirm people made the total of fifty-one such for the Principality.

The expansion of education services cost nearly five and a quarter millions, and 25,490 new places were created in 104 projects: the schedule for this year contains 32 projects, at an estimated cost of £1,588,000, besides another quarter of a million for five developments in further education.

Accommodation for mental patients was the most pressing demand on the health services, and this year 22 *per cent.* of the available capital will be spent on it. One thousand two hundred and eighty-six doctors were in contract with the Executive Councils, with 507 dentists and 745 chemists. Despite continued publicity, the report records a decrease in 1952 of smallpox and diphtheria vaccinations, but there was a further decrease in new notifications of respiratory tuberculosis, deaths from which stood at 273·2 per million population. Preventive B.C.G. vaccination was received by 4,188 people. Four hundred and eighty-six health visitors paid almost a million visits, and the number of home nurses was 715.

Of £29m. loan consents for Wales, £27m. went to housing, water supply and education.

HORNSEY JUBILEE

To celebrate the fiftieth anniversary of its Charter, Hornsey corporation held a civic exhibition, opened at the Town Hall by Sir Rupert de la Bere on October 29. Nine stands displayed the government of the town, and the Infestation Central Division of the Ministry of Agriculture was also represented, as were the Hornsey Arts Council and the National Savings Movement. At stand No. 1, the Council was presented in three aspects—history, civic ceremony and administration, and thereafter each of the committees elaborated the theme at its own stand. The Health Committee laid emphasis on its surveillance of food shops, and also showed the records of atmospheric pollution; the works and road safety committees combined to display the most familiar activities of the council: roadmaking, street lighting, refuse collection and the management of parks. At the Finance and Establishment stand, a comparison of the town's finance now and at the beginning of the century was made by means of a continuously turning ledger, and the public was shown some of the machines which now make easier the calculation of its contributions to the community's funds.

LAW AND PENALTIES IN MAGISTERIAL AND OTHER COURTS

No. 72.

A MIRROR HELD NOT TO BE A TRAFFIC SIGN

On November 10 last, Beaconsfield justices spent a considerable time hearing an interesting legal argument which turned upon the provisions of s. 48 of the Road Traffic Act, 1930.

A claim was brought by Bucks County Council against the owner of a house at Chalfont St. Peter, for the recovery of 7*s.* expenses incurred by the council in removing a mirror which the local resident had placed opposite the drive to his house.

The court was told that the claim was a sequel to long controversy between the council and the local resident, who had rejected the council's requests to remove the mirror.

The mirror, which was in court, measured eighteen inches by twenty inches and was erected on two posts four feet high. The mirror stood on the local resident's land. His contention was that the point where his drive met the junction of two roads was dangerous and that the mirror, enabling him to see passing traffic from his drive, and *vice versa*, was valuable in preventing accidents.

There was no dispute about the facts, and the legal issue depended upon the justices' interpretation of s. 48.

It will be recalled that this section provides that subject to the direction of the Minister a highway authority may cause or permit traffic signs to be placed on or near any road in their area; the signs are to be of the prescribed size, colour and type. Subsection (4) of the section provides that a highway authority shall by notice in writing require the owner or occupier of any land on which there is any traffic sign or any object which closely resembles a traffic sign, to remove it, and empowers a highway authority if their order is not complied with, to effect the removal themselves and to recover summarily, as a civil debt from the person in default, the expense incurred by them in so doing.

Subsection 9 of the section (upon which this case depended) states that the expression "traffic sign" includes all signals, warning sign posts, direction posts, signs *or other devices* for the guidance or direction of persons using roads.

Mr. Hamilton, a solicitor appearing for the county council, after referring to the statutory provisions outlined above, quoted the *Oxford Dictionary* definition of a "signal"—"an object serving to convey an intimation"—and said that that was what the mirror did. It flashed a signal to a person approaching one way as to what was happening somewhere else. Mr. Hamilton submitted that the mirror would be extremely confusing to persons approaching down one of the roads in proximity to the local resident's drive, and a stranger driving along the road might well find his attention distracted from the road. Mr. Hamilton submitted that a mirror was included in the "other devices" referred to in subs. (9).

Correspondence which had passed was read to the court, and the local resident had made it clear that he attached such importance to the retention of the mirror that he intended to replace it as often as it was removed and, unless the county council had the matter tested in court, he intended to seek an injunction in the High Court to restrain the county council from removing the mirror.

In answer to questions put by the chairman (Sir Norman Kendal), Mr. Hamilton made it clear that the highway authority had power to stop anyone putting up a notice on his own ground, and he added that the merits of the mirror did not concern the court; the question for decision was whether a mirror was a traffic sign under the Act.

After evidence had been given by the deputy county surveyor to the effect that the mirror was not an effective safety device and tended to be confusing, Mr. Paul Curtis-Bennett, for the local resident, submitted that to the plain man, the mirror placed to show traffic coming which would not otherwise be seen, seemed an eminently sensible idea and the local resident, at his own expense, was making a genuine effort to lessen the risk of accidents at the corner.

Counsel urged that the court should be astute not to increase the range of objects which the Act forbade without very good reason and authority, and he called in aid the decision of Hewart, L.C.J., in *Evans* v. *Cross* (1938) 102 J.P. 127.

It will be recalled that in that case, the appellant, in the course of overtaking another car, drove his car on the wrong side of a white

line which was painted on the roadway at a corner, and was later convicted under s. 49 of the Road Traffic Act, 1930, which provides that " . . . where any traffic sign . . . has been lawfully placed on or near any road . . . any person driving or propelling any vehicle who . . . (*b*) fails to conform to the indication given by the sign, shall be guilty of an offence." The court held that the word " devices " in s. 48 (9) of the Act must be read as *ejusdem generis* with the preceding words in that subsection and that, therefore, a white line painted on the roadway was not a " traffic sign " within the meaning of that section so as to render a person driving a motor-car on the wrong side of it liable to be proceeded against under s. 49.

Counsel submitted that a mirror was not of the same character as a signal, signpost or direction post, and was only intended to be helpful in indicating the road which might be best followed, in the same way as was a white line. A mirror did not give a permanent indication, invariable information, as signals did. The term " other devices " was aimed at such advertising signals as " Stop for tea," which might be mistaken for traffic signals.

The highway authority, before the Traffic Act of 1930, had ample power to remove things which were a nuisance, but Bucks County council were using that case as a test case, in the form of civil proceedings, as an arbitrary and expeditious means of removing mirrors throughout the county.

" The highway authority has the right to remove unauthorized traffic signals from any land " said Mr. Curtis-Bennett. If mirrors are held to be traffic signs that means a highway authority could remove any mirror from any land.

The court retired and on its return Sir Norman Kendal, in dismissing the claim for 7*s.* and awarding the local resident £10 10*s.* costs, said " It is a difficult and interesting point. We do not think that a mirror is included in the type of sign or signal contemplated in subs. (9) of s. 48 of the Road Traffic Act. There is a plain distinction between signs giving a positive warning to all persons at all times and a mirror which gives what Lord Hewart, C.J., called helpful indications in limited circumstances. As the courts have refused to extend the section to cover a white line, we feel bound to refuse to extend it to cover a mirror."

(The writer is greatly indebted to Mr. P. Nickson, clerk to the Burnham Justices, for information in regard to this case.) R.L.H.

PENALTIES

Norfolk Assizes—November, 1953—procuring a miscarriage (two charges)—eighteen months' imprisonment. Defendant, a fifty-nine year old widow, pleaded guilty to the charges. Defendant's weekly income for the last five or six years had been £2 19*s.* a week, and she admitted that one of her main motives for agreeing to perform the operations, was the attraction of the money offered, which was approximately £15 in each case. One of the women operated on, aged twenty-one, became seriously ill as a result of the operation.

Keynsham—November, 1953—indecent assault—fined £5, to pay £3 15*s.* 2*d.* costs. The defendant, a former squadron leader and the holder of the D.F.C. and the A.F.M., pleaded not guilty. The girl was aged nine.

Llanelly—November, 1953—aiding and abetting a woman to travel without paying her fare and with intent to avoid payment. Fined £5, to pay £6 12*s.* costs. Defendant, a railway goods guard, had a privilege ticket to enable him to travel, with his wife, from Paddington to Rosslare, in Ireland. He told the police that as the wife was taken ill, he sold the privilege ticket for £2 10*s.* to a nurse, who was found travelling with it between Paddington and Fishguard.

Ludlow—November, 1953—driving without due care and attention—To pay a total of £7 10*s.* (fine and costs). Defendant, a forty year old woman, was followed by mobile police who gave evidence of seeing defendant, while driving at fifty m.p.h. being kissed by her male passenger who had his arm round her.

Newark Quarter Sessions—November, 1953—attempting to obtain money by false pretences—fined £30. Defendant, a forty-two year old railway shunter, claimed £994 from Littlewoods Pools Ltd. in respect of a double-draw coupon and £2 5s. on the treble chance. Defendant, who gave evidence that he was a member of a devout Baptist family and did not tell his family that he gambled, said that he found some weeks after making the claim, the envelope containing the Postal Orders in the lining of his coat, and that at the time he made the claim he believed he had posted his coupon.

PERSONALIA

APPOINTMENTS

Judge G. W. Wrangham, of the Bedford County Court circuit, has been appointed a Commissioner of Assize for Birmingham. He was Recorder of York before being appointed to the County Court.

Mr. Anthony Hawke, chairman of the County of London Sessions, has been appointed Common Serjeant of the City of London in succession to Sir Hugh Beazley, who is to retire on December 31 after thirteen years of office.

Mr. J. L. Williams has been appointed by the Lord Chancellor registrar of Blackwood, Tredegar, Abertillery and Bargoed county courts, and district registrar in Blackwood.

Mr. G. H. Emlyn Jones, at present deputy town clerk and deputy clerk of the peace, will be appointed town clerk and clerk of the peace for Derby. Mr. Emlyn Jones was appointed assistant solicitor in Derby in 1944, and in 1948, when senior assistant solicitor, was appointed deputy town clerk and deputy clerk of the peace. He will succeed Mr. E. H. Nichols, who is the new town clerk of the City of London.

Mr. Frank Dixon Ward, senior assistant solicitor of West Ham, has been appointed deputy town clerk of Hove in succession to Mr. John Macfadyen, D.F.C., LL.B., who has been appointed town clerk of Christchurch.

Mr. Percy Jeans Sprake, of the Bungay firm of solicitors, has been chosen town reeve by the retiring holder of the office, and appointed as such by the annual town meeting. Mr. Sprake has been clerk to the town trust for thirty-one years, and his simultaneous tenure of both offices creates a precedent in the history of Bungay, as well as a personal honour for his family in that he is the third of three brothers to become reeve. Mr. Sprake succeeded his father in the clerkship of the town, and, on its constitution in 1910, was clerk of the U.D.C. until his retirement in 1950. For twenty-six years he was clerk to the Bungay bench, until the reorganization of the North East Suffolk division last year. For many years he has been clerk to the Waveney Valley internal drainage board, and in 1953 he was made a feoffee of the town trust.

Mr. E. C. Glenton, who has been serving the Jarrow bench since the death of Mr. W. M. Patterson, will succeed officially to the clerkship on the confirmation of the Home Office. Mr. Patterson was clerk to the justices for twenty years.

Mr. W. Edmonds has been appointed clerk to the justices of Burton on Trent in succession to the late Major T. H. Bishop.

Mr. Stanley Morris, deputy clerk and financial officer to Clowne, Derby, R.D.C., has been appointed clerk and accountant of Brackley, Northants, R.D.C., in succession to Mr. J. F. C. Machin. Mr. Morris has served Wing and Woodhall Spa rural districts.

Mr. F. N. Padgham, accountant and rating officer to the urban district of Carlton, Nottinghamshire, has been appointed treasurer of the States of Jersey.

Detective Sergeant Albert George has been promoted to inspector in the Norfolk Constabulary, and will transfer to Holt on December 15 from the Loddon division, where he has worked for twenty years.

Police Sergeant Douglas Dingle, who has served twenty-eight years with the Norfolk Constabulary, has been promoted to inspector.

RETIREMENT

Mr. H. G. Derwent Moger, who for a quarter of a century has been registrar of the Taunton, Bridgwater, Minehead and Langport county courts, is to retire.

OBITUARY

Capt. F. Buddle Atkinson, in 1941-2 High Sheriff of Northumberland, has died at the age of eighty-seven. Captain Atkinson was added to the Commission for Northumberland in 1892, and in the same year rode his own horse in the Grand National.

CORRESPONDENCE

The Editor,
Justice of the Peace and
Local Government Review.

DEAR SIR,

COLLECTING OFFICER—STAMPING OF RECEIPTS

I would like to support the attitude taken by your correspondent, Mr. E. R. Horsman, with reference to the stamping of receipts to be given by women on their collection of maintenance under Court Orders.

Like that of Mr. Horsman, my experience also is that many of these women scarcely have " two coppers to rub together " and relief from stamp duty in these cases would be a blessing. I hope that statutory action may be taken at an early stage on the lines indicated by Mr. Horsman.

Yours faithfully,
JOSEPH WILLS,
Clerk to the Justices.

Magistrates' Clerk's Office,
Market Street,
Barrow-in-Furness.

THE WEEK IN PARLIAMENT

From Our Lobby Correspondent

HOMOSEXUALITY

Problems of homosexuality were discussed at question time in the Commons last week.

The Secretary of State for the Home Department, Sir David Maxwell Fyfe, replying to questions, said that in 1938, the number of unnatural offences known to the police in England and Wales was 134, the number of attempts to commit unnatural offences (including indecent assaults on male persons and cases of importuning for immoral purposes dealt with on indictment) was 822, and the number of offences of gross indecency was 320. The corresponding figures for 1952 were 670, 3,087 and 1,686. Similar figures were not available for offences of importuning by males for immoral purposes which were dealt with summarily.

Mr. W. S. Shepherd (Cheadle) asked: "Is it not a fact that senior police officials have stated that they are not able to deal with these cases as satisfactorily as they would wish, owing to lack of power and to other factors? Is it not also a fact that if the police are willing to act, and the magistrates are willing to receive the cases, the number brought daily before the Metropolitan courts would be very much larger?"

Sir David replied that neither of those points had been brought to his attention. He reminded the House that the maximum penalties for those offences were as follows:

Sodomy and bestiality—Life imprisonment.

Attempt to commit unnatural offence, and indecent assault on a male person—Ten years.

Gross indecency—Two years.

Importuning—Six months on summary conviction, and two years on conviction on indictment.

He added that there was no reason to think that those penalties were inadequate. Speaking from memory, he said that in 1952, there were 5,443 offences, and he thought that about 600 offenders were sent to prison.

Asked whether he would recommend a Royal Commission to consider the law on the subject, Sir David said that the general question of the law relating to sexual offenders was engaging his attention, but he was not yet in a position to make any statement.

Further pressed, he went on to say that one element in dealing with the matter was the protective element in punishment, because homosexuals in general were exhibitionists and proselytizers and were a danger to others, especially the young. So long as he held the office of Home Secretary he would give no countenance to the view that they should not be prevented from being such a danger.

They were very much alive to the problem in the prisons today and there were arrangements made for medical attention, especially of a psychiatric kind, but the difficulty in those cases was that for treatment to be successful there had to be co-operation, and in many cases co-operation was refused

The third point that one must always bear in mind was that, apart from the true invert, there were homosexuals who used that instead of ordinary sexual intercourse, and in addition to them, the male prostitutes who came up on these importuning cases and the sensationalist who would try any form of excitement and indulgence. Those three types of cases, apart from the male invert, could, he believed, be dealt with, and were being dealt with, by the prison system.

Mr. R. R. Stokes (Ipswich): "Will the Home Secretary bear in mind in his deliberations the importance of impressing upon the authorities concerned that while respecting the rights of the defendants they will also regard it as obligatory to reduce to the absolute minimum the publicity and strain imposed upon juveniles who are mixed up in adult cases?"

Sir David: "I entirely agree. It is a very difficult subject indeed, but one that must be borne constantly in mind."

Asked by Mr. D. Donnelly (Pembroke) whether he would be prepared to receive a deputation, the Home Secretary replied that he was quite willing to meet anyone who had ideas on the subject.

Mrs. B. Braddock (Liverpool, Exchange): "When considering these matters will the right hon. and learned gentleman very carefully consider the medical aspect, because many magistrates who understand the situation are very reluctant indeed to give terms of imprisonment in these cases because of overcrowding in prisons where men are put two and three into a cell? It is considered that sending them to prison accentuates the trouble rather than cures it."

Sir David: "It is quite true that they are put three in a cell; unfortunately, owing to shortage of space, there are about 5,000 people who are three in a cell. This matter has been carefully examined, and I believe that the chances of increasing homosexual inclinations from that have been greatly exaggerated. Although, of course, homosexuality exists in prisons—as Sir Alexander Paterson said, "you cannot help it in a 'monastery of men unwilling to be monks'"—I think the effect has been exaggerated. My experience is that there is not much increase of inclination. We have not been able to find any evidence of it."

PARLIAMENTARY INTELLIGENCE

Progress of Bills

HOUSE OF LORDS

Tuesday, December 1

CHARITABLE TRUSTS (VALIDATION) BILL, read 1a.
INVENTIONS AND DESIGNS (CROWN USE) BILL, read 2a.
POST OFFICE AND TELEGRAPH (MONEY) BILL, read 2a.
PUBLIC WORKS LOANS BILL, read 2a.
LICENSING (SEAMEN'S CANTEENS) BILL, read 3a.
STATUTE LAW REVISION BILL, read 3a.

Thursday, December 3

NATIONAL SERVICE (CONSCIENTIOUS OBJECTORS) BILL, read 1a.
AIR CORPORATIONS BILL, read 2a.
POST OFFICE AND TELEGRAPH (MONEY) BILL, read 3a.
PUBLIC WORKS LOANS BILL, read 3a.

HOUSE OF COMMONS

Wednesday, December 2

RIGHTS OF ENTRY (GAS AND ELECTRICITY BOARDS) BILL, read 1a.

Thursday, December 3

CURRENCY AND BANK NOTES BILL, read 2a.
ELECTORAL REGISTERS BILL, read 2a.
ARMED FORCES (HOUSING LOANS) BILL, read 3a.
CINEMATOGRAPH FILM PRODUCTION (SPECIAL LOANS) BILL, read 3a.
CONSOLIDATED FUND BILL, read 1a.

Friday, December 4

PROTECTION OF BIRDS BILL, read 2a.
LAW REFORM (LIMITATION OF ACTIONS, ETC.) BILL, read 2a.
JURIES BILL, read 2a.

APING OUR BETTERS

"He hath put down the mighty from their seats,
and hath exalted them that are of low degree."

The moral satisfaction that the Psalmist found in the vicissitudes of human greatness finds no louder echo than among the "lowbrow" section of the community on those occasions which reveal the fallibility of scholarship or science. It is an unedifying but very natural reaction that the man in the street should rejoice at the discomfiture of what was disparagingly referred to, in a recent parliamentary debate, as the "Third Programme mentality." That resentful sense of inferiority, which troubles lesser men in the presence of an acknowledged specialist in any branch of science or art, is converted into malicious delight by the discovery that the great man has been "caught out" at his own game and, by a kind of compensation, seems to justify the dislike and contempt with which the unlearned regard the knowledge of things they do not understand.

Such a frame of mind is encouraged by many of the institutions which have come to be associated with our ideas of democracy—the jury system, for example, and the practice of appointing a layman rather than an expert as political head of a ministry whose activities are of the most highly technical kind. It would be unthinkable to empanel a jury consisting entirely of lawyers; and it is as rare in most democracies to find a field-marshal in charge of the War Department, or an admiral at the Ministry of Marine, as it would be to see a schoolmaster presiding over Education or a millionaire over National Finance. In this country we have not yet adopted the innovation of a lay Lord Chancellor, though that would be the logical outcome of a system that avowedly regards war as far too serious a matter to be left to the generals. The exception is perhaps an implied compliment to the legal profession.

The apotheosis of the common man is the most popular of all religions. This may help to explain the whoops of joy that have attended the belated discovery that the jawbone associated with the Piltdown Man is that of an ape, so cleverly faked by some hoaxer as to have deceived two generations of eminent anthropologists. No sinister allusion, we are assured, is intended by the reminder that the original discovery of the cranium and tooth, in 1915, was made by an amateur collector of fossils who was, by profession, a solicitor. The general public were comparatively unmoved at the announcement, in 1949, that the skull belonged, not to the Lower Pleistocene, but to the comparatively modern Upper Pleistocene Age of a mere 50,000 years ago; but the recent revelation that there has been a deliberate juxtaposition, with this genuine relic, "of the mandible and canine tooth of a modern chimpanzee, faked by chemical treatment to simulate fossil specimens," is news indeed. The author of *The Origin of Species* has never been quite forgiven by the ordinary man for reminding him of his plebeian ancestry, and the realization that the disciples of the contumacious Darwin have fallen into an ambush in their own line of country has provided the "lowbrows" with intense and pleasurable excitment.

Though referred to loosely as a "forgery," the hoax does not constitute a criminal offence. At common law forgery was "the false making of any written instrument for the purpose of fraud or deceit." The definition in the Act of 1913 is somewhat wider, but extends only to documents and to certain seals and dies. "That's the slovenly way" as the Mikado said, in another connexion, "in which these acts are always drawn." There is no statutory reference to skulls or crania, mandibles or fossils, and the common man, as he goes on his way rejoicing, will piously ejaculate "Quite right, too!"

This is not the first occasion, as *The Times* reminds us, that such jokes have been perpetrated. The Austrian zoologist Kammerer, who sought to prove the Lamarckian theory that acquired characteristics may be inherited, was tricked by some wag who injected Indian ink into male newts to produce the symptoms for which the learned man was assiduously searching. And the archaeologist Beringer, in the eighteenth century, triumphantly "discovered" objects of the appropriate period which his pupils had obligingly hidden in the right places. Most visitors to Egypt have at some time or another been offered, at ridiculously low prices, rare Eighteenth Dynasty scarabs of twentieth century Birmingham manufacture, shipped out to Port Said by the gross.

Literary and artistic hoaxes have been equally common. In 1765 an ingenious Scotsman, James Macpherson, published his *Works of Ossian*—"a translation from the original Gaelic Epic" of an alleged third century bard. Enormous controversy raged for years about this work, the authenticity of which was bitterly attacked—among others, by Dr. Samuel Johnson (who was at any time extremely allergic to anything from over the Border). It was finally demonstrated that the "originals" existed only in Mr. Macpherson's fertile brain. Charles Dickens may have had this and similar episodes in mind when he described Mr. Pickwick's antiquarian researches, at Cobham, into the origin and significance of an ancient inscription which his malicious detractor read as a recent and illiterate rendering of the words "Bill Stumps his mark".

Perhaps the most brilliant and impudent example of all was that attending the discovery, in May, 1945, among Hermann Goering's artistic treasures, looted from all over Europe, of a hitherto unknown painting signed "Johannes Vermeer". Painstaking investigation led the trail to Amsterdam, where the picture was found to have been *sold* two years earlier by an obscure artist called Han van Meegeren for the equivalent of £150,000. Further research discovered six more Vermeers and two Pieter de Hooghs which had been sold by the same gentleman, who had netted a cool £750,000 from his various deals. Since all these pictures had been pronounced genuine by experts of international celebrity, and several of them bought by famous museums, questions were naturally asked. Eventually commercial discretion succumbed to pride in artistic achievement, and Mynheer van Meegeren roundly declared that he had painted them all himself! Piqued by the incredulity of his inquisitors, the enterprising artist challenged them then and there to incarcerate him with the tools of his trade; in two months, under strict surveillance by art-experts and official guards, he produced a new "Vermeer"; the subject, satirically chosen, was *Christ among the Doctors in the Temple*. The specialists were completely confounded; nobody who had not seen it done could have distinguished this picture from a genuine work of the master. It is a sad reflexion that van Meegeren, less fortunate but infinitely more brilliant than the Piltdown hoaxer, died in prison. If he had been an Englishman, and we had been Prime Minister, he would, at the very least, have been recommended for the O.M.

A.L.P.

NOTICES

The next court of quarter sessions for the Isle of Ely will be held at Wisbech on January 6, 1954.

The next court of quarter sessions for the county of Cardigan will be held at Lampeter on Thursday, January 7, 1954.

The next court of quarter sessions for the borough of Guildford will be held at the Guildhall, Guildford on January 9, 1954, at 11 *a.m.*

The next court of quarter sessions for the borough of Southend-on-Sea will be held on Monday, January 11, 1954.

The next court of quarter sessions for the borough of Bridgwater will be held at the Court House, Northgate, Bridgwater, on Friday, January 29, 1954, at 10.30 *a.m.*

PRACTICAL POINTS

All questions for consideration should be addressed to "The Publishers of the Justice of the Peace and Local Government Review, Little London, Chichester, Sussex." The questions of yearly and half-yearly subscribers only are answerable in the Journal. The name and address of the subscriber must accompany each communication. All communications must be typewritten or written on one side of the paper only, and should be in duplicate.

1.—Adoption—*Infant sent abroad to be adopted by aunt in British colony—Whether licence required.*

Your valued opinion would be appreciated on the point as to whether a licence is necessary in respect of a proposal to send an infant abroad for eventual adoption in view of the fact that the infant's mother is a sister of the adoptor and both are British subjects.

A is a native of a British Crown Colony and during her employment in England gave birth to an illegitimate child. She has retained her employment and the child is in the care of a recognized home. The mother has access to the child and contributes to his support. It is now desired to allow the mother's sister (a relative as defined in s. 45 (1) of the Adoption Act, 1950) to take over the guardianship of the infant and to subsequently apply through the courts here for an adoption order. Suitable arrangements are being made for the transfer of the child to this country from England.

Since the transferee is a British subject and is a relative, as defined, and appears to comply with the requirements of s. 39 (2), I should be glad to learn whether a licence is necessary under s. 40 of the above named Act. SAIL.

Answer.

In our opinion, no licence is necessary. The person to whom care and possession of the infant is being transferred is its aunt, and the mother and the aunt may arrange for a suitable person to act as their agent in accompanying the child on its journey. The escort is not, we consider, a person to whom care and possession is transferred within the meaning of the section, but the aunt, who is, needs no licence because she is a relative.

2.—Burial—*Ground under Burial Acts—Removal of dangerous or neglected memorials.*

My council has two burial grounds established under the Burial Act, 1853, in which interments are still being made and in which it is desired in both consecrated and unconsecrated parts—

1. to remove memorials which are considered dangerous; and
2. to remove certain old and neglected memorials for the purpose of levelling of the ground to facilitate the easier maintenance of the burial grounds.

Will you please state whether there is any authority to remove memorials in burial grounds which are still in use and if so the procedure to be followed. CRAS.

Answer.

1. Memorials which constitute a danger to persons in the burial ground, or upon an adjoining highway or other adjoining premises, may in our opinion be made safe, in exercise of the powers of s. 38 of the Burial Act, 1852. If the burial authority consider removal to be necessary for this purpose, they must in the consecrated portion obtain a faculty, and in either portion should ascertain whether any person can be traced who has proprietary or contractual rights, under grant from them or their predecessors.

2. The same applies to memorials which are old and neglected, without being dangerous; *see* also s. 30 of the Act of 1852. The need for caution, in regard to possible private rights, is perhaps greater than where danger exists, but so long as the burial authority obtain faculties when needed, and use reasonable caution, we do not think they run any real risk of legal proceedings.

3.—Children and Young Persons—*Fine and compensation—Limits in case of child.*

At a recent juvenile court, two boys both under fourteen years of age were found guilty of wilful damage to a hayrick to the amount of £10. They were charged under s. 14 of the Criminal Justice Administration Act, 1914. In the case of an adult this section provides a penalty, where the amount of the damage exceeds five pounds, of imprisonment for two months or a fine not exceeding £20 and the payment of such further amount as appears to the court to be reasonable compensation for the damage so committed. This last mentioned amount has to be paid to the party aggrieved.

The justices considered *inter alia* (*a*) imposing a fine and ordering payment of compensation and (*b*) making a probation order and ordering payment of costs and compensation. Section 126 of the Magistrates' Courts Act, 1952, defines "Fine" as including "any pecuniary penalty or pecuniary forfeiture or pecuniary compensation payable under a conviction" and s. 32 of the same act states "A magistrates' court shall not on finding guilty a person under fourteen years old impose a fine of more than forty shillings."

I shall be pleased to have your opinion whether in (*a*) the total of the fine and compensation must not exceed 40*s.* and in (*b*) the total of the costs and compensation together or the compensation alone must not exceed 40*s.* TETHYS.

Answer.

The interpretation of the word "fine" in s. 126, *supra*, applies "In this Act, unless the context otherwise requires." It therefore applies to the use of the word in s. 32, and we consider that in case (*a*) in the question forty shillings is the limit of the fine and compensation added together.

If course (*b*) is taken, it would appear that the limit is that laid down in s. 11 (2) of the Criminal Justices Act, 1948, since the definition in the Magistrates' Courts Act, 1952, is not applicable to other Acts. This may seem anomalous, but we think it is correct.

Costs may be additional to compensation.

4.—Company—*Reduction of capital—Jurisdiction to confirm.*

A and B were the only two photographers in a small town, and decided to combine their two businesses. They formed a company which they called A & B, Ltd., with a nominal capital of £4,000, and each sold the goodwill and stock in trade of his respective business to the company for £2,000 in £1 shares. Each property was held on a lease, but as there was living accommodation there in which the respective vendors resided, these leases were assigned to the company in consideration of the company's covenanting to observe and perform the covenants in the respective leases. After two years' trading, A and B now wish to divide and to continue their respective businesses, A under the company, and B on his own. A has no spare capital with which to purchase B's share, and it is desired to effect a division with the minimum expense. It appears to us that the only method by which this can be achieved would be to apply to the High Court for authority to reduce the capital to £2,000, by removing B's share from the company, in consideration of B's taking back his goodwill and an agreed amount of stock. We would appreciate your views on this, and suggestions as to any alternative methods of effecting the division. ACTA.

Answer.

Upon company law we do not advise with the same confidence as in our normal fields, but we have looked into the matter and can see no alternative to your suggestion, with one exception. This is that you could apparently proceed in the county court, with some saving of expense: *see* ss. 66, *et seq.*, 218, and 455 (definition of "court") of the Companies Act, 1948, and S.I. 1949, No. 2060, 3 *Halsbury's Statutory Instruments* 276.

5.—Husband and Wife—*Maintenance Order—Variation—Discretion of original court to refuse summons on receipt of complaint from another court.*

A complaint is made by a wife to a justice of the peace for the area in which she was for the time being resident under the Emergency Laws (Miscellaneous Provisions) Act, 1947, now r. 34 of the Magistrates' Courts Rules, 1952, for a variation of an order made in her favour by my court. The clerk forwards the complaint to me in the usual way and it is decided that the application shall be heard by the original court and it is heard and dismissed. The wife moves to another area shortly afterwards and again carries out the same procedure. The application is again heard by the original court and dismissed. Within a month she again moves and makes a further application on the same grounds and I have today received this from the clerk to the justices.

I shall be pleased if you will let me have your opinion as to whether a summons shall be issued on that complaint in accordance with r. 34 or can my justices refuse to issue a summons in view of the complaint which was heard only a month previous.

I would draw your attention to s. 43 of the Magistrates' Courts Act, 1952, in which it states "the justice may issue a summons." SATE.

Answer.

The effect of r. 34 is, we think, to make it obligatory for another court to issue a summons when the original court decides that a complaint should be heard by that other court, but not to make it obligatory for the original court to issue a summons on receipt of a complaint from some other court. The original court can exercise a discretion in the matter, so long as it considers the application on its merits. It is, we consider, in the same position as if the application had been made to it direct by the woman, and has the discretion indicated in s. 43, *supra*. As we see it, it is the original court which decides in these circumstances whether a summons is to issue, and if so where it is to be heard.

6.— Justices — *Powers on appeal — Such order as they consider reasonable.*

The local authority decided to change the name of one of the streets from Pram Row to Regina Row. Notices have been duly posted, and an appeal has been lodged under s. 18 (4) of the Public Health Act 1925, by a person aggrieved. The residents in the street in fact desire the name of the street to be Regina Road, not Row. They have no objection, so far as is at present known, to the change from Pram Row. Section 8 of the Act referred to regulates the procedure on appeals to justices, and reads (*inter alia*) " The court may make such order in the matter as they consider reasonable."

Does this mean that the court has the power to order that the name of the street shall be changed to Regina Road ; or should the narrower interpretation prevail, *i.e.*, that the appeal is allowed against the council, in which case the street would revert to its old name of Pram Row, or dismissed, in which case it would remain Regina Row ? If the first construction is correct the provisions of the statute as to posting of notices, *etc.*, are by-passed, and the justices given the power of naming the street by some completely different name, if they so desire, without any other person's having the right of appeal against the name given by the court. If the second contention is the proper one, then, if the appeal is allowed, the name reverts to Pram Row; if dismissed, remains Regina Row. C.A.F.

Answer.

We do not think the court has power to by-pass the provisions about notices in s. 18, by substituting a name of its own choosing, or (say) by translating " Regina " into " Queen." We hesitate to advise that even the descriptive noun can be changed, since (if it it can) the court could change " Road " to " Street," a change that might be thought derogatory. On the other hand, s. 8 (2) might have said " The court may allow or dismiss the appeal," and some meaning should be attached to the words which give a less circumscribed power. On the whole, with some hesitancy for the reason given, we think a change from " Row " to " Road " (which cannot damnify anybody) would be upheld by the Divisional Court if anybody challenged it.

7.—Landlord and Tenant—*Occupation by person not tenant—Payment on vacating premises.*

A man, his wife, and their son, occupy a house for which a weekly rental is paid. The man dies and the wife and son continue to occupy the premises and to pay the rent weekly. The rent book is made out in the surname only. The wife dies, and the son stays on. The landlord desires possession and refuses the rent. This position obtains for approximately two years, during which time no money is paid and no repairs, etc., are done. What is the legal position so far as the back rent is concerned should the son decide to vacate the premises ? POSTDOM.

Answer.

The landlord can recover the arrears up to six years as rent or for use and occupation.

8.—Probation—*Commission of further offence—Probationer in Scotland.*

A man domiciled in Scotland appeared before an English quarter sessions appeals committee for sentence on conviction of seven charges of larceny. The appeals committee put him on probation for three years and as his home was in Glasgow the Glasgow sheriff court was named as the appropriate authority for the purpose of s. 9 of the Criminal Justice Act, 1948.

During the period of his probation, the probationer was convicted at a summary court in England of larceny and was fined £10. It is now desired to deal with him for breach of the probation order. He has now returned to his home in Glasgow.

What procedure should be adopted in order to bring him before the appeals committee to be dealt with for the breach of probation, *i.e.*, should he first be summoned to appear before the Glasgow sheriff court or can a warrant be issued for his immediate arrest so that he can be conveyed back to England to be brought before the appeals committee ?

In any case, whether procedure is by summons or warrant, by whom should the information be laid—by the clerk of the peace, by the police or by the probation officer ? J. " WALL."

Answer.

The probationer cannot, in respect of the conviction of a further offence, be dealt with for a breach of requirement, Criminal Justice Act 1948, s. 6 (6), but must be dealt with under s. 8. Section 8 (3) applies to Scotland, see s. 81.

We think the summons or warrant should be issued by a justice in England in accordance with s. 8, and should require his appearance before the appeals committee of quarter sessions. In accordance with s. 8 (3) the defendant if arrested will probably have to be brought before the local court in Scotland and committed to the English appeal committee. We think that either the police or the probation officer should lay the information.

9.—Road Traffic Acts—*Dangerous driving and failing to stop after accident—Driver suffering from concussion—No* mens rea.

The police are shortly preferring two charges of dangerous driving and one of failing to stop after an accident. It appears that the defendant was driving a motor lorry, and on the morning of the alleged offences during the course of his duties fell from his lorry on to his head, that he subsequently drove his vehicle at a fast speed towards his home, and on the way he was involved in two collisions with other vehicles on the road, and that on arriving home he spoke in a strange manner to his wife who called in a doctor who was satisfied that the defendant was suffering from concussion. If the court is satisfied that the defendant lacked *mens rea* will you kindly advise whether it would be justified in convicting the defendant if the medical evidence shows that the above facts are correct. J.K.P.W.

Answer.

Both these offences involve *mens rea* on the part of the accused. We think that if a court has and accepts evidence from a doctor that, in his opinion, at the time of the occurrences in question the defendant was suffering from concussion and therefore was not conscious of what he was doing, they should not convict.

We think that the judgment of Humphreys, J., in *Kay* v. *Butterworth* (1945) 110 J.P. 75 is relevant in considering this question.

10.—Seaside Bathing—*First-aid equipment.*

Section 234 of the Public Health Act, 1936, enables a local authority to provide life-saving appliances. Do you consider that this, or any other provision, enables a rural district council to provide (*a*) a hut, (*b*) bandages and other first-aid equipment at the seaside for use of first-aid organizations whose personnel would attend voluntarily to render first-aid as may be necessary ? Are there any other statutory provisions relative ? PRABAT.

Answer.

We are not told who provides the accommodation for bathing, if anybody does, nor whether the bathing beach is under the council's control. We can, therefore, say no more than that we doubt whether the expression " life saving appliances " in s. 234 covers the objects mentioned, in view of the reference also to " other means of protecting bathers from danger " in s. 231 (1) (*e*) of the Act of 1936. Section 232 may also be in point if it fits the facts, but see *Lumley's* note thereon.

WORCESTERSHIRE

Whole-time Male Probation Officer

CONDITIONS and salary in accordance with the Probation Rules. The Officer must provide a motor-car for which an allowance on the County Council Scale will be paid and will work, in the first instance, in the Bromsgrove, Droitwich and Redditch Petty Sessional Divisions.

Apply, stating age, qualifications, experience and the names and addresses of two referees, on or before December 19, 1953, to W. R. SCURFIELD, Clerk of the Peace, Shirehall, Worcester (K 195).

SMETHWICK AND WEST BROMWICH COMBINED PROBATION AREA

Appointment of Full-time Male Probation Officer

APPLICATIONS are invited for the above appointment. The appointment will be subject to the Probation Rules, 1949, and the salary will be in accordance with the prescribed scale.

The successful applicant will be required to pass a medical examination.

Applications, stating age, present position, qualifications and experience, together with copies of two recent testimonials, should be sent to me within fourteen days from the publication of this advertisement.

T. CRADDOCK,
Clerk to the Combined Probation Committee.

The Law Courts,
Smethwick.

CHESHIRE PROBATION AREA

Full-time Male Probation Officer

APPLICATIONS are invited for the above appointment of an Officer for the Chester City area.

The appointment will be subject to the Probation Rules and the successful applicant will be required to pass a medical examination.

Applications, upon the form which can be obtained from this office, must be forwarded to reach me not later than December 19, 1953.

HUGH CARSWELL,
Secretary of the Probation Committee.

St. John's House,
Chester.

BOROUGH OF BURY ST. EDMUNDS

Appointment of Town Clerk

APPLICATIONS are invited from Solicitors for the above appointment at a commencing salary of £1,250, rising to £1,450 by four annual increments of £50, and in accordance with the Conditions of Service of the Joint Negotiating Committee for Town Clerks.

The Council are prepared to assist the successful applicant in the provision of housing accommodation for a temporary period of one year, and further details may be obtained from the undersigned by whom applications must be received not later than first post on January 5, 1954.

M. J. H. GIRLING,
Town Clerk.

Borough Offices,
Bury St. Edmunds.

LEICESTERSHIRE AND RUTLAND COMBINED PROBATION AREAS COMMITTEE

PROBATION OFFICER (female) required full-time. Salary and conditions in accordance with Probation Rules; post pensionable; travelling allowance paid. Applications, stating age, qualifications and experience, with names of two referees, to reach Clerk to the Committee, County Offices, Grey Friars, Leicester, by January 7, 1954.

COUNTY BOROUGH OF EAST HAM

Law Clerk

TO be responsible for the Local Land Charges Register and assist with conveyancing and general legal work. Salary £495 × £15 — £540, plus London Allowance.

Further details and form of application (returnable by December 31) from Town Clerk, Town Hall, East Ham, E.6.

CITY OF MANCHESTER

Appointment of Two Whole-time Male Probation Officers

APPLICATIONS are invited for the appointment of Two Whole-time Male Probation Officers.

Applicants must not be less than twenty-three nor more than forty years of age, except in the case of a serving probation officer.

The appointments will be subject to the Probation Rules, 1949 to 1952, and the salaries will be according to the scales prescribed by those Rules.

The successful applicants will be required to pass a medical examination.

Applications, stating age, present position, qualifications and experience, together with not more than two recent testimonials, must reach the undersigned not later than December 28, 1953.

HAROLD COOPER,
Secretary of the Probation Committee.

City Magistrates' Court,
Manchester 1.

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